

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JIMMY GETTINGS,

No. CIV S-08-0457-LEW-CMK

Petitioner,

vs.

ORDER

REGINA GETTINGS,

Respondent.

\_\_\_\_\_ /

Petitioner seeks a writ of mandamus. Pending before the court is petitioner's request for leave to proceed in forma pauperis on appeal (Doc. 9). Because petitioner's appeal has been processed to the Ninth Circuit Court of Appeals, petitioner's motion is denied without prejudice to renewal in the appellate court.

IT IS SO ORDERED.

DATED: April 1, 2010

  
\_\_\_\_\_  
**CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE