

FILEDUNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FEB 10 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: JOSE GARCIA RODRIGUEZ.

No. 09-73926

JOSE GARCIA RODRIGUEZ,

D.C. No. 3:02-cv-02481-CRB
Northern District of California,
San Francisco

Petitioner,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA,

Respondent,

D. L. RUNNELS,

Real Party in Interest.

Before: CANBY, GOULD and TALLMAN, Circuit Judges.

Petitioner has not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus. *See Bauman v. United States Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Accordingly, the petition is denied.

KW/MOATT

The motions to proceed in forma pauperis and for appointment of counsel are denied as moot.

No motions for reconsideration, rehearing, clarification, or any other submissions shall be filed or entertained in this closed docket.