

FILEDUNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SEP 10 2008

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

In re: TAYLOR S. LANGENDORF.

TAYLOR S. LANGENDORF,

Petitioner,

v.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA,

Respondent,

RICHARD KIRKLAND,

Real Party in Interest.

No. 08-72915

D.C. No. 3:05-cv-01629-JSW
Northern District of California,
San Francisco

ORDER

Before: PREGERSON, McKEOWN and N.R. SMITH, Circuit Judges.

The petition for a writ of mandamus is denied without prejudice to the filing of a new petition if the district court has not issued an order reopening docket no. 3:05-cv-1629-JSW within 90 days.

All other pending motions are denied as moot.

No motions for reconsideration, modification, or clarification of this order shall be filed or entertained.

rb/MOATT