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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LINDA ROVAI-PICKETT,

Plaintiff,

v.

HMS HOST, INC., HOTEL EMPLOYEES &
RESTAURANT EMPLOYEES LOCAL #2,
DOES 1 THRU 50

Defendants.

No. C-08-1625 MMC

**ORDER DENYING PLAINTIFF'S MOTION
FOR LEAVE TO PROCEED IN FORMA
PAUPERIS, DIRECTIONS TO CLERK**

Before the Court is plaintiff Linda Rovai-Pickett's ("plaintiff") "Motion for leave to proceed in forma pauperis," filed February 16, 2010. Having read and considered the motion, it is hereby DENIED for the following reasons. First, plaintiff has not submitted an affidavit setting forth why she is unable to pay the \$455 fee to file a notice of appeal; second, plaintiff fails to state the issues she intends to present on appeal. See Fed. R. App. P. 24(a).

Plaintiff is hereby advised that she may file a motion to proceed in forma pauperis on appeal with the Court of Appeals for the Ninth Circuit. See Fed. R. App. P. 24(a)(5).

The Clerk of the Court is directed to send a copy of this order to the Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: February 18, 2010


MAXINE M. CHESNEY
United States District Judge