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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN MAE POLK,
Petitioner,

v.

KIMBERLY HUGHES,
Respondent.

Case No. [12-cv-05986-VC](#) (PR)

**ORDER DENYING MOTION FOR
RELIEF FROM JUDGMENT**

Re: Dkt. No. 179

Petitioner Susan Mae Polk filed a petition for a writ of habeas corpus. On March 24, 2015, the Court granted the respondent's motion to dismiss on the ground that the petition was untimely. On the same day, judgment was entered. On April 6, 2015, Polk filed a notice of appeal to the Ninth Circuit Court of Appeals. The Ninth Circuit assigned case number 15-15677 to the appeal. On May 13, 2015, Polk filed a motion for relief from judgment under Federal Rule of Civil Procedure 60.

This Court lacks jurisdiction to consider motions in this case which is on appeal in the Ninth Circuit. The motion for relief from judgment is denied.

IT IS SO ORDERED.

Dated: May 19, 2015



VINCE CHHABRIA
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN MAE POLK,
Plaintiff,
v.
KIMBERLY HUGHES,
Defendant.

Case No. [12-cv-05986-VC](#)

CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 19, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Susan Mae Polk ID: X23159
CA Institute for Women CIW/SHU/137
PO Box 8100
Corona, CA 92878-8100

Dated: May 19, 2015

Richard W. Wieking
Clerk, United States District Court

By: 
Kristen Melen, Deputy Clerk to the
Honorable VINCE CHHABRIA