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

FANYA YOUNG,

Plaintiff,

No. C 14-03627 WHA

v.

THIRD AND MISSION ASSOCIATES
LLC,

REQUEST FOR RESPONSE

Defendant.

On August 11, 2014, *pro se* plaintiff, Fanya Young, an attorney, commenced this landlord-tenant dispute and filed a motion for a temporary restraining order to prevent her eviction. A hearing was held and a temporary restraining order followed. Defendants were enjoined from seeking to evict Attorney Young until a hearing on her motion for a preliminary injunction occurred, provided that she post a security deposit pursuant to Rule 65. A \$5,000 security deposit was placed with the Court (Dkt. No. 8). Attorney Young's motion for a preliminary injunction was denied and the temporary restraining order was lifted (Dkt. No. 33).


A December 18 order granted defendants' motion for a portion of that deposit (Dkt. No. 88). That order stated "[i]f either side files a notice of appeal of this order on or before **JANUARY 19, 2015**, then this order shall be stayed pending appeal. If no appeal is filed by January 19, the Clerk shall issue a check to 'The Paramount' in the amount \$763 from Attorney Young's \$5,000 deposit and return the balance to Attorney Young by **JANUARY 30, 2015.**"

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Attorney Young filed an appeal on January 20. Defendants did not appeal. The funds have not been released. On June 10, the Court of Appeals for the Ninth Circuit denied Attorney Young’s “emergency motion to release funds” but noted that decision was without prejudice to seeking relief from the district court. Attorney Young has filed a draft order and contacted the Court seeking release of the funds pursuant to the order issued on December 18.

Defendant is asked to inform the Court whether it has any objections to the release of the balance not subject to appeal, \$4,237, plus interest accrued on that sum, to Attorney Young by **JULY 9 AT NOON.**

Dated: July 6, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE