

United States District Court
For the Northern District of California

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

MATTHEW D. PINNAVAIA,
Plaintiff,
v.
MARK MOODY-STUART, et al.,
Defendants.

No. C 09-03803 CW
ORDER DENYING
REQUEST TO APPEAL IN
FORMA PAUPERIS

_____/

Plaintiff Matthew D. Pinnavaia asks to appeal in forma pauperis. Pursuant to 28 U.S.C. § 1915(a)(3) an appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith. For the reasons stated in the Court's December 11, 2009 Order Granting Defendant's Motion to Dismiss, this appeal is not taken in good faith. The request to proceed in forma pauperis on appeal is hereby denied.

IT IS SO ORDERED.

Dated: January 15, 2010

Claudia Wilken

CLAUDIA WILKEN
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 PINNAVAIA et al,

5 Plaintiff,

6 v.

7 MOODY-STUART et al,

8 Defendant.

Case Number: CV09-03803 CW

CERTIFICATE OF SERVICE

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

11 That on January 15, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
14 in the Clerk's office.

15 Matthew D. Pinnavaia
16 201 Country Club Lane #90
17 Oceanside, CA 92054

18 Dated: January 15, 2010

19 Richard W. Wieking, Clerk
20 By: Sheilah Cahill, Deputy Clerk
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