

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

3
4 JON C. AMEDEE,

No. C 13-3040 CW

5 Plaintiff,

ORDER APPROVING
NOTICE OF PENDENCY
OF ACTION (Docket
No. 35)

6 v.

7 CITIMORTGAGE, INC., et al.,

8 Defendants.
_____ /

9
10 On December 23, 2013, Plaintiff Jon Amedee, proceeding pro
11 se, filed an ex parte request for this Court to approve his notice
12 of pendency of action. This request is GRANTED.

13 Section 405.20 of the California Code of Civil Procedure
14 provides that a "party to an action who asserts a real property
15 claim may record a notice of pendency of action in which that real
16 property claim is alleged." The purpose of such a filing is to
17 give "constructive notice" to the public "that an action has been
18 filed affecting title or right to possession of the real property
19 described in the notice." BGJ Associates, LLC v. Superior Court,
20 75 Cal. App. 4th 952, 966 (1999). Under California law,¹ "A notice
21 of pendency of action shall not be recorded unless (a) it has been
22 signed by the attorney of record, [or] (b) it is signed by a party
23 acting in propria persona and approved by a judge" of the court
24 where the real property action is pending. Cal. Civ. Proc. Code
25 § 405.21.

26 ¹ Federal courts follow state law in matters concerning these
27 notices of pending actions affecting title to real property. 28 U.S.C.
28 § 1964; see also Cal. Civ. Proc. Code § 405.5 ("This title applies to an
action pending in any United States District Court in the same manner
that it applies to an action pending in the courts of this state.").

