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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

WILLIAM A. PILLARS,)	No. C 02-0127 JW (PR)
)	
Petitioner,)	ORDER ADDRESSING
)	AMENDED NOTICE OF APPEAL
vs.)	
)	
A.A. LAMARQUE, Warden,)	
)	
Respondent.)	(Docket No. 64)


Petitioner, a California prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was denied on its merits. Petitioner’s motion for a certificate of appealability was denied November 12, 2008, and the file was forwarded to the Ninth Circuit Court of Appeals.

Petitioner has filed an “Amended Notice of Appeal.” (Docket No. 64.) The notice is a single page which states in its entirety, “Petitioner (above-named) hereby respectfully provides this Court with an Amended Notice of Appeal with regard to the Court’s order denying the motion for reconsideration filed by petitioner (DC Doc. #42) which the Court ruled upon in conjunction with an order denying a certificate of appealability (COA) (DC Doc. #60) which was received on November 18, 2008.” (Id. at 1.) The Court can only conclude that petitioner filed this amended notice of appeal as notice that he is appealing the Court’s denial of the motions referred to therein. The matter is currently pending with the Ninth Circuit on appeal since this Court denied petitioner’s motion for a certificate

1 appealability on November 12, 2008. No further action is required by this Court for
2 petitioner to pursue this matter on appeal.

3 The clerk shall forward a copy of this order and petitioner's "Amended Notice of
4 Appeal" (Docket No. 64) to the Court of Appeals. Petitioner is directed to file any future
5 notices or requests pertaining to his appeal directly with the Ninth Circuit.

6
7 DATED: January 14, 2009



JAMES WARE
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM A. PILLARS,
Petitioner,

Case Number: CV02-00127 JW

CERTIFICATE OF SERVICE

v.

A. A. LAMARQUE, Warden,
Respondent.

_____/

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 1/15/2009, 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.

William Andrew Pillars K-80619
San Quentin State Prison
San Quentin, CA 94964

Dated: 1/15/2009

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk