Goldstein v. Colvin

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

STEVEN M. GOLDSTEIN

Plaintiff,

VS.

NANCY A. BERRYHILL, COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION, AND THE SOCIAL SECURITY ADMINISTRATION

Defendants.

CASE No.: 13-cv-03504-HRL

ORDER DISMISSING MOTION FOR NEW TRIAL AS MOOT

Re: Dkt. No. 99

Following an order by Magistrate Judge Lloyd granting defendants' motion for summary judgment, plaintiff filed a motion for a new trial. (Dkt. No. 99.) As no trial has occurred, the Court hereby **Denies** plaintiff's motion for a new trial.

In the event that plaintiff wishes to appeal Judge Lloyd's decision, he should file a Notice of Appeal with the District Court. A sample Notice of Appeal can be found attached to this order and online at https://cdn.ca9.uscourts.gov/datastore/uploads/forms/form1.pdf. Pursuant to Federal Rule of Appellate Procedure 3(c), the Notice of Appeal must contain the following information:

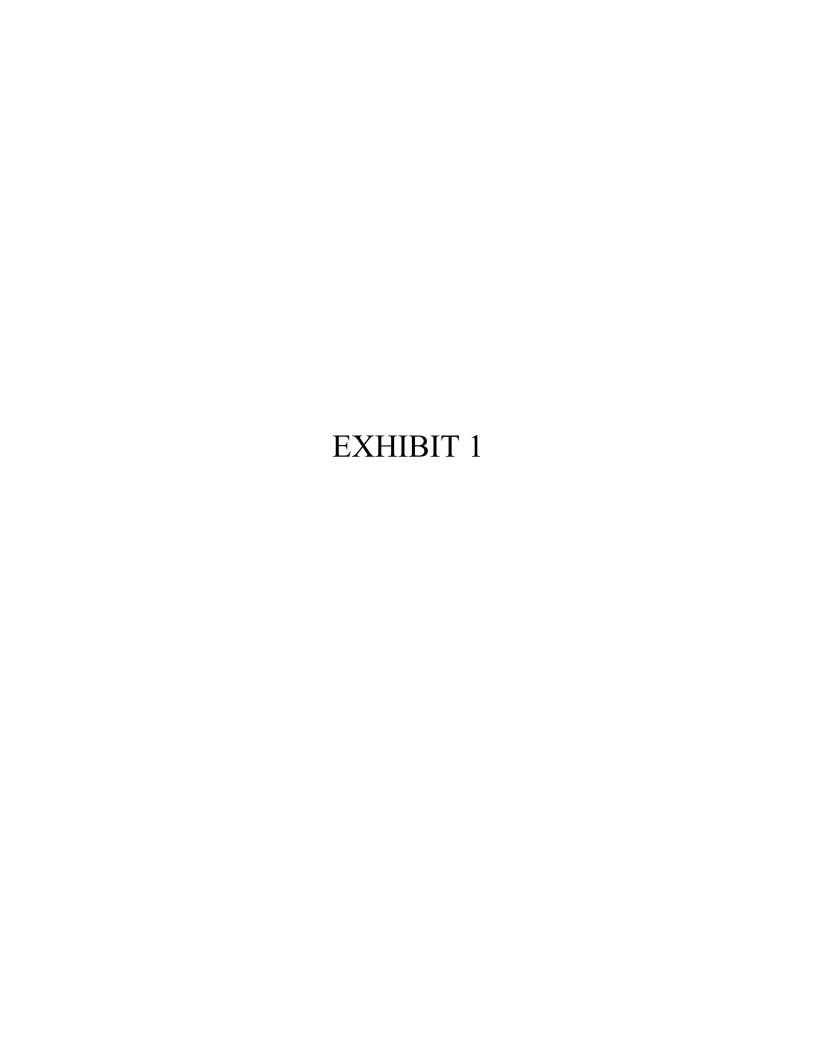
- 1. The party or parties taking the appeal
- 2. The judgment, order, or part thereof being appealed; and
- 3. The name of the court to which the appeal is taken (*i.e.*, the "United States Court of Appeals for the Ninth Circuit").

Additionally, the Notice of Appeal must be signed by the appealing party or the party's attorney. *See McKinney v. De Bord*, 507 F.2d 501, 503 (9th Cir. 1974).

IT IS SO ORDERED.

Dated: June 8, 2018

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE



Form 1. Notice of Appeal to a Court of Appeals From a Judgment or Order of a District Court

United States Dis	trict Court for the
	District of
	File Number
A.B., Plaintiff	
V.) Notice of Appeal
C.D., Defendant)
(plaintiffs) (defen States Court of A	ereby given that (here name all parties taking the appeal), dants) in the above named case*, hereby appeal to the United ppeals for the Circuit (from the final judgment) (from an it)) entered in this action on the day of, 20
	(s)
	Attorney forAddress:
	11441400.

^{*} See Rule 3(c) for permissible ways of identifying appellants.