

FLN (Rev. 4/2004) Deficiency Order

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3:10cv91-RV/EMT - STATE OF FLORIDA, et al. vs. UNITED STATES DEPARTMENT OF HEALTH AND HUMAN RESOURCES, et al.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

STATE OF FLORIDA, et al.

vs

Case No.3:10cv91-RV/EMT

UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES, et al.

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**ORDER**

Your document, **NOTICE OF APPEAL (PRO-SE) BY ROBERT P. SMITH, JR.**, was referred to the undersigned with the following deficiencies:

You are not a party to this action. Your Motion to Intervene (doc. 23) was denied on April 23, 2010 by Order of this Court (doc. 37). There is no legal basis for filing an appeal.

For these reasons, IT IS ORDERED that the Clerk shall return the document to the filing party, along with the \$455 filing fee.

DONE and ORDERED this 2<sup>nd</sup> day of February, 2011.

/s/ Roger Vinson

SENIOR UNITED STATES DISTRICT JUDGE