

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL PICARD, :
 :
 :
 Plaintiff, :
 :
 -v- :
 :
 :
 DARCEL D. CLARK, in her official : 19cv3059 (DLC)
 capacity as District Attorney for :
 Bronx County and MICHAEL MAGLIANO, in : ORDER
 his official capacity as Chief of :
 Public Safety for the New York Unified :
 Court System, :
 :
 Defendants. :
 :
 -----X

DENISE COTE, District Judge:

On July 28, 2022, Towaki Komatsu moved for leave to file a motion to intervene in this case. The motion is filed pursuant to the September 2, 2021 Order of the Honorable Valerie Caproni in Butler v. City of New York, 2021 WL 4306951, at *2 (S.D.N.Y. Sept. 2, 2021).

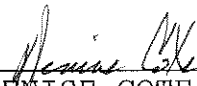
Under Rule 24~~(b)~~, a court may grant a timely application to intervene where the moving party "has a claim or defense that shares with the main action a common question of law or fact." Fed. R. Civ. P. 24(b)(1)(B). Komatsu has failed to identify any claim or defense that shares a common question of law or fact with the main action. Accordingly, it is hereby

ORDERED that Komatsu's motion for leave to file a motion to intervene is denied.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED:

Dated: New York, New York
July 29, 2022



DENISE COTE
United States District Judge