

MANDATE

D. Conn.
08-cv-855
Underhill, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 16th day of March, two thousand sixteen.

Present:

Pierre N. Leval,
Rosemary S. Pooler,
Richard C. Wesley,
Circuit Judges.

In Re: Gary Damato,

16-180

Petitioner.

Petitioner, pro se, petitions for a writ of mandamus and moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion to proceed *in forma pauperis* is GRANTED for the purpose of filing the mandamus petition. It is further ORDERED that the mandamus petition is DENIED because petitioner has not shown that he has a “clear and indisputable right to the issuance of the writ.” *In re Steinhardt Partners, L.P.*, 9 F.3d 230, 233 (2d Cir. 1993).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk

 

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 

MANDATE ISSUED ON 04/22/2016