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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>RICHARD SHAPIRO,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>SANTA CLARA COUNTY SUPERIOR COURT; et al.,</p> <p>Respondents - Appellees.</p>
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No. 08-15196

D.C. No. CV-07-05049-MJJ

MEMORANDUM\*

Appeal from the United States District Court  
for the Northern District of California  
Martin J. Jenkins, District Judge, Presiding

Submitted March 18, 2009\*\*

Before: LEAVY, HAWKINS, and TASHIMA, Circuit Judges

Richard Shapiro appeals pro se the dismissal of his petition for a writ of mandamus to compel a state small claims court to release a list of percipient witnesses to him. In a mandamus action, a federal court has authority only to issue

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

orders against employees, officers, or agencies of the United States. *See* 28 U.S.C. § 1361. We therefore affirm the dismissal of Shapiro's petition. *See Kildare v. Saenz*, 325 F.3d 1078, 1084 (9th Cir. 2003).

**AFFIRMED.**