

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAMES M. MALONEY,

Plaintiff,

**CV 03-786 (ADS) (MLO)**

- against -

**NOTICE OF APPEAL**

ANDREW CUOMO, in his official capacity as Attorney General of the State of New York, ELIOT SPITZER, in his official capacity as Governor of the State of New York, and KATHLEEN A. RICE, in her official capacity as District Attorney of the County of Nassau, and their successors,

Defendants.

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Notice is hereby given that JAMES M. MALONEY, Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Second Circuit from an Memorandum of Decisions and Order, and a Judgment, dismissing the action, both entered in this action on the 17th day of January, 2007.

Dated: February 16, 2007  
Port Washington, New York

\_\_\_\_\_/s\_\_\_\_\_

James M. Maloney (JM-5297)  
Plaintiff *pro se*  
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