

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 25 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: IAN LEONARD CLARK.

No. 25-721

IAN LEONARD CLARK,

D.C. No.
3:24-cv-01750-JR
District of Oregon,
Portland

Petitioner.

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON,
PORTLAND,

Respondent.

TINA KOTEK.

Real Party in Interest.

Before: CANBY, M. SMITH, and FORREST, Circuit Judges.

Petitioner has not demonstrated a clear and indisputable right to the extraordinary remedy of mandamus. *See In re Mersho*, 6 F.4th 891, 897 (9th Cir. 2021) (“To determine whether a writ of mandamus should be granted, we weigh the five factors outlined in *Bauman v. United States District Court*.”); *Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977). The petition is denied.

The motion to proceed in forma pauperis (Docket Entry No. 4) is denied as moot.

APPENDIX A

No further filings will be entertained in this closed case.

DENIED.

whose securities are held and serviced by the banks shall pay for the cost of such contracts.

Approved by the Governor April 29, 1969.

Filed in the office of Secretary of State April 29, 1969.

CHAPTER 144

AN ACT

[SB 296]

Relating to the time for filing a motion and affidavit for change of judge; amending ORS 14.270.

Be It Enacted by the People of the State of Oregon:

Section 1. ORS 14.270 is amended to read:

14.270. In any county of the State of Oregon where there is a presiding judge who hears motions and demurrers and assigns cases to the other departments of the circuit court for trial, the affidavit and motion for change of judges to hear the motions and demurrers or to try the case ~~{may be made at any time, either before or after the assignment of the case for trial, and either before a hearing upon a motion or demurrer or before the commencement of trial of the said cause;}~~ shall be made at the time of the assignment of the case to a judge for trial or for hearing upon a motion or demurrer; oral notice of the intention to file the motion and affidavit shall be sufficient compliance with this section providing that the motion and affidavit are filed not later than the close of the next judicial day; but no motion to disqualify a judge to whom a case has been assigned for trial shall be made after the judge has ruled upon any petition, demurrer or motion other than a motion to extend time in the cause, matter or proceeding; except that when a presiding judge assigns to himself any cause, matter or proceeding in which he has previously ruled upon any such petition, motion or demurrer, then in such case any party or attorney appearing in the cause, matter or proceeding may move to disqualify the judge after assignment of the case and prior to any ruling on any such petition, motion or demurrer heard after such assignment. No party or attorney shall be permitted to make more than two applications in any action or proceeding under this section.

Approved by the Governor April 29, 1969.

Filed in the office of Secretary of State April 29, 1969.

CHAPTER 145

AN ACT

[SB 304]

Relating to alcoholic liquors; amending ORS 471.780.

Be It Enacted by the People of the State of Oregon:

Section 1. ORS 471.780 is amended to read:

471.780. Every order given by the commission for alcoholic liquor must