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FILED
 MAR - 1 2006 5

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

JEFFRY LA MARCA, an individual,
 PLAINTIFF(S),
 v.
 CAPELLA UNIVERSITY, a corporation,
 DEFENDANT(S).

BY [Signature] DEPUTY CLERK
 CASE NUMBER:
 SACV05-642 DOC (MLGx)

NOTICE OF APPEAL

Bill _____
 Fees Pd
 Frms Gvn _____
 CAD
 TDO
 Ntc/Dkt Mfd _____
 FP Frms Gvn _____

NOTICE IS HEREBY GIVEN that JEFFRY LA MARCA hereby appeals to
Name of Appellant
 the United States Court of Appeals for the Ninth Circuit from:

Criminal Matter

- Conviction only [F.R.Cr.P. 32(b)]
- Conviction and Sentence
- Sentence Only (18 U.S.C. 3742)
- Pursuant to F.R.Cr.P. 32(c)(5)
- Interlocutory Appeals
- Sentence imposed:

Bail status:

Civil Matter

- Order (specify):
 An order denying Plaintiff's Special Motion to Strike.
- Judgment (specify):
- Other (specify):

Entered in this action on February 6, 2006.

I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY FIRST CLASS MAIL POSTAGE PREPAID, TO ALL COUNSEL (OR PARTIES) AT THEIR RESPECTIVE, MOST RECENT, ADDRESS OF RECORD, IN THIS ACTION, ON THIS DATE.
 DATED: MAR - 1 2006
C. Brizuela
 DEPUTY CLERK

A copy of said judgment or order is attached hereto.

March 1, 2006
 Date

[Signature]
 Signature
 Appellant/ProSe Counsel for Appellant Deputy Clerk

Note: The Notice of Appeal shall contain the names of all parties to the judgment or order and the names and addresses of the attorneys for each party. Also, the Clerk shall be furnished a sufficient number of copies of the Notice of Appeal to permit prompt compliance with the service requirements of FRAP 3(d).

DOCKETED ON CM
 MAR - 6 2006
 BY [Signature] 029

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PROOF OF SERVICE BY MAIL
(CCP 1013(a) and 2015.5)

FILED
MAR 1 2006
CLERK OF COURT
IRVINE, CALIFORNIA

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, **Giselle Uy**, am employed in the County of Orange, State of California. I am over the age of eighteen years and not a party to the within action. I am employed with THOMAS & ASSOCIATES and my business address is 2532 Dupont Drive, Irvine, California 92612.

On March 1, 2006 I served the within document entitled **NOTICE OF APPEAL** on all interested parties in this action.

by placing the original a true copy thereof, enclosed in a sealed envelope addressed as follows:

H. Christian L'Orange
DRINKER BIDDLE & REATH LLP
50 Fremont Street, 20th Floor
San Francisco, CA 94105-2235
Facsimile: (415) 591-7510

MAIL - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U. S. Postal Service on that same day with postage thereon fully prepaid at Irvine, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

VIA PERSONAL SERVICE - via hand delivery by our messenger service of the said document in a sealed envelope to the address(es) above.

VIA OVERNIGHT SERVICE - via overnight delivery by DHL of the said document in a sealed envelope to the address(es) above.

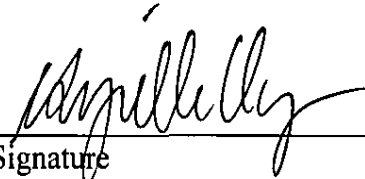
VIA FACSIMILE - I faxed a true copy of the above mentioned document to the fax number above. The fax number from which the document was transmitted is: (949) 752-7172.

STATE - I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

FEDERAL - I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on **March 1, 2006**, at Irvine, California.

Giselle Uy



Signature