

PRO SE OFFICE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE  
500 PEARL STREET, ROOM 230  
NEW YORK, NEW YORK 10007

J. MICHAEL McMAHON  
CLERK OF COURT

Date: 9/24/08

Re: Bernstein, Eliot v. Appellate Div. First Dept Sept 'L et al  
07 Civ. 11196 (SAS)

Dear Litigant:

Please be advised that this office received your notice of appeal on 9/5/08.

It has been noted that the appeal filing fee of **\$455.00** has not been paid. To proceed with your appeal, you must act on one of the following:

(a) Submit the appeal filing fee through the *Pro Se* Office. The fee is **\$455.00** payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

**OR**

(b) Submit a motion directly requesting that fees be waived. If you wish to ask this court to waive a filing fee, please complete the enclosed declaration in support of a request to proceed *in forma pauperis*. Please sign the form in ink and return it to this office.

Please note that your notice of appeal will now be docketed "fees due" in the District Court, forwarded to the Orders and Appeals clerk and then transmitted to the Court of Appeals. The Court of Appeals will also notify you by mail on how to proceed when fees are due. If you have any questions regarding these procedures, you may contact this Office by letter or by telephone during our normal business hours 8:30 a.m. - 5:00 p.m., Monday - Friday (except federal holidays). Please note that we cannot accept collect calls.

Sincerely,

  
Pro Se Clerk  
(212)805-0175

