

JAN 10 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

DARYL DWIGHT GRAY,

Plaintiff - Appellant,

v.

N. GRANNIS; et al.,

Defendants - Appellees.

No. 07-16566

D.C. No. CV-07-00893-AWI

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Anthony W. Ishii, District Judge, Presiding

Submitted January 7, 2008\*\*

Before: O'SCANNLAIN, SILVERMAN and GRABER, Circuit Judges.

A review of the record and appellant's response to the court's order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). There is no statutory right to appointment

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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)*.

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of a federal investigator in a civil action under 42 U.S.C. § 1983. *See* 18 U.S.C. § 3006A(a)(1).

Accordingly, we summarily affirm the district court's order denying appellant's motion for appointment of a federal investigator.

All pending motions are denied as moot.

**AFFIRMED.**