

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 31 2006

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

In re: GRAND JURY SUBPOENA.

No. 06-16403

JOSHUA WOLF,

D.C. No. CR-06-90064-MMC
Northern District of California,
San Francisco

Witness - Appellant,

v.

ORDER

UNITED STATES OF AMERICA,

Appellee.

Before: SCHROEDER, Chief Judge and REINHARDT, Circuit Judge.

This is a recalcitrant witness appeal. Appellant's motion for bail pending appeal is granted. 28 U.S.C. § 1826. Appellee has not shown that this appeal is frivolous or taken for purpose of delay. *Id.*

Briefing is complete. This appeal and all other pending motions will be decided by the next motions panel.