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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ARMANDO ABREU ACEVES, AKA
Armando Abreu,

Plaintiff-Appellant,

v.

THE STATE OF CALIFORNIA,

Defendant-Appellee.

No. 14-56329

D.C. No.
2:14-cv-03559-UA-DTB

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
David T. Bristow, Magistrate Judge, Presiding

Argued and Submitted November 18, 2016
San Francisco, California

Before: GOULD, CLIFTON, and WATFORD, Circuit Judges.

This appeal is dismissed for lack of jurisdiction. A magistrate judge may not issue a dispositive order denying an in forma pauperis request unless the requirements stated in 28 U.S.C. § 636(c) have been satisfied. The record does not show that the parties consented to the magistrate judge's adjudication of the matter,

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

as required by § 636(c). Thus, the order from which this appeal is taken is not a final decision under 28 U.S.C. § 1291 that can be appealed. *Tripati v. Rison*, 847 F.2d 548, 548–49 (9th Cir. 1988) (per curiam). The district court’s subsequent order dismissing the case cannot cure Armando Abreu Aceves’s premature notice of appeal from the magistrate judge’s nonfinal decision. *Serine v. Peterson*, 989 F.2d 371, 372–73 (9th Cir. 1993) (per curiam).

The parties’ motions for judicial notice (Docket Nos. 6 and 55) are GRANTED. The court has received Aceves’s pro se motion for reconsideration and relief from judgment (Docket No. 84), which we decline to entertain because Aceves is represented by counsel.

DISMISSED.