

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN VALDEZ PEREZ,
Plaintiff,
v.
STATE OF CALIFORNIA, COURT OF
APPEAL,
Defendants.

No. 2:17-cv-0221 KJN P

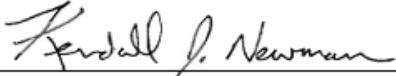
ORDER

Plaintiff is a former juvenile detained in the California Youth Authority. Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On July 6, 2017, plaintiff filed objections to the May 4, 2017 order dismissing plaintiff’s complaint without prejudice. However, on June 27, 2017, plaintiff filed a notice of appeal. Because plaintiff filed his objections after he filed his appeal, plaintiff’s motion, construed as a motion for reconsideration under Rule 60(b) of the Federal Rules of Civil Procedure, must be dismissed for lack of jurisdiction. See Carriger v. Lewis, 971 F.2d 329, 332 (9th Cir. 1992) (*en banc*).

In accordance with the above, IT IS HEREBY ORDERED that plaintiff’s objections (ECF No. 17), construed as a motion for reconsideration, is dismissed for lack of jurisdiction.

Dated: July 17, 2017

/pere0221.60b


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE