

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARVEL JONES,)	8:13CV67
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES OFFICIALS, et al.,)	
)	
Defendants.)	

This matter is before the court on Plaintiff's second request for an extension of time in which to file a notice of appeal (Filing No. [71](#)). The court entered judgment in this case on May 18, 2015 (Filing No. [68](#)). Therefore, the prescribed deadline for filing a notice of appeal was June 17, 2015. See [Fed. R. App. P. 4\(a\)\(1\)\(A\)](#) (in civil case, notice of appeal must be filed with district court clerk within 30 days after judgment appealed from is entered). On June 8, 2015, Plaintiff timely filed a motion under [Federal Rule of Appellate Procedure 4\(a\)\(5\)](#) for an extension of time to file a notice of appeal. On June 9, 2015, the court entered an order granting Plaintiff's request for an extension of time.

Here, Plaintiff seeks a second extension of time in which to file a notice of appeal. However, under the Federal Rules of Appellate Procedure, the deadline for filing the notice of appeal cannot be extended beyond the later date between thirty days after the prescribed June 17 filing deadline and fourteen days after the June 9 order. See [Fed. R. App. P. 4\(a\)\(5\)\(C\)](#) (no extension under Rule 4(a)(5) may exceed 30 days after prescribed time to file notice of appeal or 14 days after date when order granting motion is entered, whichever is later), [26\(b\)\(1\)](#) (court may not extend time to file notice of appeal except as authorized by Rule 4).

IT IS THEREFORE ORDERED that: Plaintiff's second request for an extension of time in which to file a notice of appeal (Filing No. [71](#)) is denied.

DATED this 17th day of July, 2015.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge

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