

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  
DISTRICT OF NEVADA

\* \* \*

JOSEPH CHIDI ANORUO,

Plaintiff(s),

v.

ROBERT A. MCDONALD,

Defendant(s).

Case No. 2:12-CV-1190 JCM (GWF)

ORDER

Presently before the court is pro se plaintiff Joseph Chidi Anoruo's (hereinafter "plaintiff") motion to reopen case. (Doc. # 145). Defendant Robert A. McDonald (hereinafter "defendant") filed a response, (doc. # 147), to which plaintiff replied, (doc. # 151).

Also before the court is plaintiff's motion to merge. (Doc. # 146). Defendant filed a response, (doc. # 148), to which plaintiff replied, (doc. # 151).

When a judgment is appealed, jurisdiction over the case passes to the appellate court. The filing of a notice of appeal generally divests the district court of jurisdiction over the matters appealed. *McClatchy Newspapers v. Cent. Valley Typographical Union No. 46*, 686 F.2d 731, 734 (9th Cir. 1982).

On July 18, 2014, plaintiff filed a notice of appeal. (Doc. # 147-1). Accordingly, this court now lacks jurisdiction over the case. Therefore, the court will deny the instant motions for lack of jurisdiction.

For the foregoing reasons,


IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff's motion to reopen case, (doc. # 145), be, and the same hereby is, DENIED.

...

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

IT IS FURTHER ORDERED that plaintiff's motion to merge, (doc. # 146), be, and the same hereby is, DENIED.

DATED August 28, 2014.

  
UNITED STATES DISTRICT JUDGE