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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

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|---|---|
| Billy Cepero,<br>Petitioner<br>v.<br>Brian Williams, et al.,<br>Respondents | 2:14-cv-01397-JAD-PAL<br>**Order**<br>[ECF Nos. 26, 27] |

I dismissed this action with prejudice because it was untimely, and I declined to issue a certificate of appealability.[1] Now petitioner Billy Cepero asks me to reconsider my dismissal,[2] and he moves for an extension of time to file a petition for a certificate of appealability.[3] I deny the time-extension motion for two reasons: (1) Cepero has not yet filed a notice of appeal, and (2) I already declined to issue a certificate of appealability. If Cepero wants to appeal my decision, he needs to ask the court of appeals for a certificate of appealability, not me.

I also deny Cepero's motion for reconsideration because he has not demonstrated new evidence, fraud, or a mistake by the court. Cepero merely repeats the same arguments that I already considered and rejected. His contentions are more appropriate for appellate review than a motion for reconsideration.[4]

It is unclear whether Cepero is represented by counsel because Cepero filed his most recent motions pro se. The court will send a copy of this order to Cepero at the address he has given in another civil action.

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[1] ECF No. 24.

[2] ECF No. 27.

[3] ECF No. 26.

[4] *See McCarthy v. Mayo*, 827 F.2d 1310, 1318 (9th Cir. 1987); *see also Plotkin v. Pacific Tel. and Tel. Co.*, 688 F.2d 1291, 1293 (9th Cir. 1982).

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Accordingly, IT IS HEREBY ORDERED that Cepero's motion for extension of time **[ECF No. 26] is DENIED**.

IT IS FURTHER ORDERED that Cepero's motion for reconsideration **[ECF No. 27] is DENIED**.

The **Clerk of Court** is directed to **MAIL a copy of this order to Billy Cepero**, **#94730, Ely State Prison, PO Box 1989, Ely, NV 89301**.

DATED: November 13, 2017.

Jennifer A. Dorsey
United States District Judge