

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

VICTOR TAGLE,

Plaintiff,

vs.

VENUS FAJOTA, et al.,

Defendants.

Case No. 2:15-cv-02082-JCM-VCF

ORDER

MOTION FOR COURT'S INVESTIGATION (ECF No. 49)

Before the Court is Victor Tagle's motion for court's investigation.¹ (ECF No. 49). For the reasons stated below, Tagle's motion is denied.

Tagle asserts that several of the cases he has filed with this Court, including case 2:15-cv-02082-JCM-VCF, have been dismissed or partially dismissed "By the clerks." (ECF No. 49 at 1). Tagle seeks an investigation into the alleged conspiracy between the clerks, the Nevada Department of Corrections, and the Deputy Attorney Generals to interfere with Tagle's cases. (Id.)

The clerks did not dismiss any part of case 2:15-cv-02082-JCM-VCF. Judge Mahan issued a Screening Order (ECF No. 7) carefully explaining why each count could proceed or was dismissed. As there is no evidence supporting Tagle's alleged conspiracy, there is no basis for the Court to investigate Tagle's assertions.

ACCORDINGLY, and for good cause,

IT IS ORDERED that Tagle's motion for Court's investigation (ECF No.49) is DENIED.

¹ The Court notes Tagle's motion was filed during the pendency of an appeal (ECF No. 46) that has now been dismissed by the United States Court of Appeals for the Ninth Circuit for a lack of jurisdiction (ECF No. 50).

NOTICE

Pursuant to Local Rule IB 3-1, any objection to this Order must be in writing and filed with the Clerk of the Court within 14 days. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. See *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court’s order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

DATED this 3rd day of October, 2017.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE