28

<sup>7</sup> ECF No. 25, 26, 27.

1 UNITED STATES DISTRICT COURT 2 **DISTRICT OF NEVADA** 3 4 Viana B. Bailey, 2:15-cv-02279-JAD-GWF 5 Plaintiff Order 6 [ECF No. 27] v. 7 William Oscar Harris, et al., 8 **Defendants** 9 Plaintiff Viana B. Bailey brought this action to compel an arbitration. When a filing by 10 the plaintiff suggested that this case no longer presented a live controversy,<sup>2</sup> the court ordered the 11 parties to show cause why this case should not be dismissed for lack of an actual dispute.<sup>3</sup> After 12 considering the parties' responses, Magistrate Judge George Foley, Jr. then recommended that I 13 dismiss this case.<sup>5</sup> Objections to his R&R were due by June 14, 2017. On June 21, 2017, having 14 received no objection, I entered an order adopting the R&R and dismissing this case.<sup>6</sup> The next 15 day, the court received Bailey's belated objection and a new "3rd Demand for Final Judgment." 16 17 Bailey's post-closure documents do not persuade me to reconsider my June 21, 2017, 18 dismissal of this case. She still has not demonstrated that there remains any actual dispute for 19 20 21 <sup>1</sup> ECF No. 1. 22 <sup>2</sup> ECF No. 20. 23 <sup>3</sup> ECF No. 17. 24 <sup>4</sup> ECF Nos. 18, 20, 21. 25 <sup>5</sup> ECF No. 22. 26 <sup>6</sup> ECF No. 23. 27

this court to resolve; in fact, she confirms that the controversies in this case have been "settled." To the extent that she now claims that the court should take action based on a document entitled "Notice of Formal Ratification of Express Contract Nunc Pro Tunc," ECF No. 10-2, that document was executed on behalf of the defendants by Kenneth Taylor, a non-attorney, whom this court has repeatedly indicated may not act on behalf of the defendants in this action. And her objection that the magistrate judge lacks the power to take action in this case is meritless. See 28 U.S.C. § 636 et seq.

Accordingly, had I received Bailey's objections in a timely fashion, they would not have changed my decision to adopt the magistrate judge's report and recommendation and dismiss this case. Even if I liberally construe her recent filings as a request for reconsideration of my dismissal order, I find no basis to do so. Accordingly,

IT IS HEREBY ORDERED that Plaintiff Viana Bailey's objections [ECF No. 25] are OVERRULED; and

IT IS FURTHER ORDERED that Plaintiff Viana Bailey's Third Demand for Final Judgment [ECF No. 27] is DENIED.

This case is closed.

DATED: July 27, 2017

Jennifer A. Dorsey United States District Judge

<sup>&</sup>lt;sup>8</sup> ECF No. 25 at 1.

<sup>&</sup>lt;sup>9</sup> See ECF No. 10-2; 16 (minutes of hearing at which Taylor was advised he cannot act on behalf of the defendants in court); 17 (order giving the defendants until 2/10/17 to retain counsel or file a notice that they will appear pro se); 22 (R&R, noting that the defendants have "failed to comply with this Court's order" requiring them to retain counsel or file a notice with the court indicating that they are appearing pro se).