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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VICTOR TAGLE,

Plaintiff,

v.

MICHAEL ANDERSON, et al.,

Defendants.

Case No. 2:16-cv-00757-JCM-PAL

ORDER

(Mots. – ECF Nos. 86, 87, 100, 103, 121)

This matter is before the court on plaintiff Victor Tagle’s Motion to be Removed from Facilities (ECF No. 86), Motion to Demand Discovery (ECF No. 87), Motion for Audio (ECF No. 100), Motion for Investigation and Authorities Intervention (ECF No. 121), and defendants’ Motion to Extend Time to Respond to Plaintiff’s Demand for Audio (ECF No. 103). These motions are referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 of the Local Rules of Practice. The court has considered the motions and responses (ECF Nos. 107, 108, 112, 124). No reply briefs were filed and the deadline for doing so has expired.

Having reviewed and considered the matter, the court finds that Mr. Tagle’s motions lack merit. In addition, some are clearly duplicative of previously denied requests.¹ This court has repeatedly warned Mr. Tagle against this abusive litigation tactic:

Mr. Tagle is indeed required to follow the rules and may be sanctioned for engaging in abusive litigation practices. Sanctions for litigation misconduct, up to and including dispositive (case ending) sanctions may be imposed. Tagle’s filings to date are largely frivolous and demonstrate a disregard for the Federal Rules of Civil

¹ *E.g.*, Aug. 17, 2018 Order (ECF No. 81) (denying Tagle’s motions (ECF Nos. 51, 54, 64, 77) regarding transfer to federal facilities and motions (ECF Nos. 49, 51, 54 56, 58, 66, 72, 76) regarding discovery); *Tagle v. Dep’t of Homeland Security*, 2:15-cv-02506-APG-VCF, Oct. 9, 2018 Order (ECF No. 86) (denying Tagle’s motion to move him to the Clary County Detention Center or federal facilities and motions for intervention and investigation of his case); *Tagle v. State of Nevada*, 2:15-cv-00216-JCM-PAL, Oct. 27, 2016 Order (ECF No. 105) (denying Tagle’s motion to remove him from NDOC’s custody and place him in federal custody).

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Procedure, the Local Rules of Practice, and prior orders of the court. His multiple filings have wasted the resources of the court, the NDOC defendants, and their counsel. Mr. Tagle is therefore explicitly warned that any subsequent motion practice requesting relief that has already been denied or making frivolous, unsupported requests may result in the imposition of sanctions, up to and including a recommendation that this case be dismissed.


Aug. 2018 Order (ECF No. 81) at 9 (denying Tagle’s 11 frivolous motions).

For the reasons stated in the court’s prior order,

IT IS ORDERED:

1. Plaintiff Victor Tagle’s Motion to be Removed from Facilities (ECF No. 86), Motion to Demand Discovery (ECF No. 87), Motion for Audio (ECF No. 100), and Motion for Investigation and Authorities Intervention (ECF No. 121) are **DENIED**.
2. Defendants’ Motion to Extend Time (ECF No. 103) is **GRANTED**.

Dated this 22nd day of February, 2019.


PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE