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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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STEPHEN LEE CHOATE,

Case No. 2:16-cv-0813-RFB-GWF

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Petitioner.

ORDER

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v.

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NEVADA ATTORNEY GENERAL, *et al.*,

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Respondents.

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In this closed action, Petitioner Stephen Lee Choate filed an amended petition for writ of habeas corpus under 28 U.S.C. § 2254 (ECF No. 97), which the Court dismissed on March 7, 2022, followed by entry of judgment (ECF Nos. 171, 172). Choate has since filed five motions including motions for (1) transportation (ECF No. 174); (2) judicial examination (ECF Nos. 178 and 181); and (3) production of documents and a copy of the docket (ECF Nos. 180 and 182). On September 28, 2022, Choate filed a notice of appeal from the judgment with the Ninth Circuit Court of Appeals. (ECF No. 185.)

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“Once a notice of appeal is filed, the district court loses jurisdiction over [the] case.” United States v. Sadler, 480 F.3d 932, 941 (9th Cir. 2007). Because Choate filed a notice of appeal, this Court is now without jurisdiction to consider the motions. As such, the Court will deny those

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1 motions without prejudice pending the outcome of Choate's appeal. However, as a one-time
2 courtesy to Choate, the Court will instruct the Clerk of the Court to send Choate one copy of the
3 docket in this action.

4 **IT IS THEREFORE ORDERED that:**

- 5 1. Choate's motions [ECF Nos. 174, 178, 180, 181, and 182] are **DENIED** without
6 prejudice pending the outcome of the appeal.
- 7 2. As a one-time courtesy, the Clerk of the Court is directed to send Choate a copy of the
8 docket in this action.

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10 DATED: October 24, 2022.



11 RICHARD F. BOULWARE, II
12 UNITED STATES DISTRICT JUDGE
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