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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

LARRY JAQUESS,

Plaintiff,

v.

US,

Defendant.

Case No. 2:16-cv-01710-APG-VCF

ORDER ACCEPTING REPORT & RECOMMENDATION AND DENYING MOTION FOR RECONSIDERATION

(ECF Nos. 54, 61)

On April 18, 2017, Magistrate Judge Ferenbach entered a report and recommendation that I dismiss the complaint because plaintiff Larry Jaquess did not timely file an amended complaint as directed. ECF No. 54. Jaquess filed a motion for reconsideration, which I construe as an objection to the report and recommendation. ECF No. 61. Jaquess asserts that he does not understand what it means to not have an operative complaint and he requests I explain it to him.

I conducted a de novo review of the issues set forth in the report and recommendation. 28 U.S.C. § 636(b)(1). Judge Ferenbach sets forth the proper legal analysis and factual basis for the decision. I previously granted leave for Jaquess to file an amended complaint by January 6, 2017. ECF No. 47. In that order, I described what the amended complaint must contain. *Id.* He did not file an amended complaint. Instead, he filed a series of motions and notices. *See* ECF Nos. 51-59. Jaquesss therefore has not complied with my prior order and there is no complaint for the court to adjudicate in this case, despite Jaquess having multiple opportunities to file one.

IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation (ECF No. 54) is accepted, plaintiff Larry Jaquess's motion for reconsideration (ECF No. 61) is DENIED, and the complaint is DISMISSED without prejudice. The clerk of court is instructed to close this case.

DATED this 2nd day of August, 2017.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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