UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANTHONY FESTA,

Plaintiff

v.

NDOC, et al.,

Defendants

Case No.: 2:17-cv-00850-APG-NJK

Order Dismissing Case

On September 26, 2022, I ordered the parties to file a proposed joint pretrial order by October 28, 2022. ECF No. 170. On October 26, 2022, the defendants filed their own proposed order. ECF No. 171. The defendants allege that they provided a draft of the order to plaintiff Anthony Festa, but he did not respond. *Id.* at 1-2. I ordered Festa to comply with the Local Rules by responding meaningfully to the defendants' proposed joint pretrial order. ECF No. 172. I warned Festa that if he did not do so by December 2, 2022, then I would dismiss his claims. *Id.* Festa has not responded, and it appears he has abandoned his case. Consequently, I dismiss this case for failure to comply with the Local Rules and my order, and failure to prosecute.

I THEREFORE ORDER that the defendants' proposed pretrial order **(ECF No. 171) is DENIED as moot**.

I FURTHER ORDER that plaintiff Anthony Festa's claims against defendants Justin Gordon and Michael Lavell are DISMISSED. The clerk of court is instructed to enter judgment in favor of defendants Justin Gordon and Michael Lavell and against plaintiff Anthony Festa, and to close this case.

DATED this 6th day of December, 2022.

ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

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