

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ANTHONY FESTA,

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

4 Plaintiff

**Order Directing Defendants to Respond to
Motion for Temporary Restraining Order**

5 v.

[ECF No. 40]

6 NDOC, et al.,

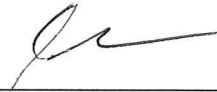
7 Defendants

8 Plaintiff Anthony Festa filed a motion for temporary restraining order, asserting that he
9 believes he is about to be transferred back to High Desert State Prison (HDSP) where, he alleges,
10 he is in danger from a correctional officer who previously threatened his life. ECF No. 40. He
11 believes his transfer is imminent because he has been granted parole and prisoners who are to be
12 released in Las Vegas are first transferred to HDSP. *Id.* Festa does not provide information
13 about how soon he thinks he might be transferred. Festa's third amended complaint has not yet
14 been screened, but given the nature of his allegations regarding his personal safety, I will direct
15 the Attorney General's Office to respond to the motion.

16 IT IS THEREFORE ORDERED that within seven days from the entry of this order, the
17 Attorney General's Office shall advise the Court whether it will enter a limited notice of
18 appearance on behalf of the defendants only for purposes of responding to the motion for
19 temporary restraining order. Additionally, based on the nature of the allegations, the defendants
20 shall also have seven days from the entry of this order to file their response to Festa's motion for
21 temporary restraining order (ECF No. 40). For more context to Festa's motion, the defendants
22 should review his prior motions at ECF Nos. 22 and 26, as well as my orders on those motions at
23 ECF Nos. 6, 25, and 31.

1 IT IS FURTHER ORDERED that the clerk of the court shall electronically serve a copy
2 of this order, a copy of Festa's third amended complaint (ECF No. 39), and a copy of Festa's
3 motion for temporary restraining order (ECF No. 40) on the Office of the Attorney General of
4 the State of Nevada, by adding the Attorney General of the State of Nevada to the docket sheet.
5 This does not indicate acceptance of service for any defendant.

6 DATED this 27th day of November, 2018.



8 ANDREW P. GORDON
9 UNITED STATES DISTRICT JUDGE

10
11
12
13
14
15
16
17
18
19
20
21
22
23