

1
2
3
4
5
6
7
8
9

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

John Michael Dunn,
Petitioner
v.
Nevada Supreme Court, et al.,
Respondents

2:17-cv-00921-JAD-VCF

**Order Denying Motion
for Reconsideration**

[ECF No. 11]

10 John Michael Dunn filed this action to seek a “Federal Intervening Injunction” in his pending
11 criminal prosecution in Nevada’s Eighth Judicial District Court.¹ I screened Dunn’s petition under
12 the Prison Litigation Reform Act (PLRA)² and dismissed it under *Younger v. Harris*, which teaches
13 that a federal court may not interfere with ongoing state criminal proceedings absent extraordinary
14 circumstances.³ Dunn then filed a challenge to that order, which I construed as a Rule 60 motion and
15 denied.⁴ I also remanded this action back to the state court under 28 U.S.C. § 1455.⁵

16 The remand of this case has deprived this court of the ability to continue to entertain motions
17 in it, and I must deny Dunn’s second motion for reconsideration [ECF No. 11] for that reason alone.
18 Even if I could continue to exercise jurisdiction over this case, I would deny Dunn’s motion because
19 his request regurgitates the same arguments and points that he has raised and that I have rejected
20 previously. And Dunn has not identified any viable legal basis for reconsideration.

21 Accordingly, IT IS HEREBY ORDERED that Dunn’s Motion to Reconsider [ECF No. 11] is

22
23 ¹ECF No. 3.

24 ² See 28 U.S.C. § 1915(e).

25 ³ *Younger v. Harris*, 401 U.S. 37, 44 (1971); *Middlesex Cty Ethics Comm’n v. Garden State Bar*
26 *Ass’n*, 457 U.S. 423, 431 (1982).

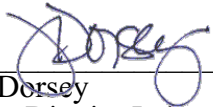
27 ⁴ ECF No. 10.

28 ⁵ *Id.*

1 **DENIED.** Dunn is instructed that **this case has been closed and remanded to the state court.**

2 **Any additional motions that Dunn files in this case will be summarily denied.**

3 Dated this 6th day of July, 2017.

4 
5 _____
6 Jennifer A. Dorsey
7 United States District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28