

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 DONALD ROBIN BARREN,  
4 Plaintiff,  
5 v.  
6 THE STATE OF NEVADA EX REL, et al.,  
7 Defendants.

Case No.: 2:23-cv-00792-APG-MDC

**ORDER**  
(ECF Nos. 15, 18)

8  
9 **I. DISCUSSION**

10 On April 1, 2024, the Court issued an order screening Plaintiff's first amended  
11 complaint under 28 U.S.C. § 1915A. (ECF No. 13). The Court dismissed the first  
12 amended complaint in its entirety and gave Plaintiff leave to file a second amended  
13 complaint. (*Id.*) Plaintiff subsequently filed a notice of appeal, as well as an "emergency  
14 motion" that appears to request that the Ninth Circuit Court of Appeals promptly address  
15 his appeal. (ECF Nos. 14, 15). Plaintiff has also filed a motion for an extension to file an  
16 amended complaint. (ECF No. 18). The Ninth Circuit Court of Appeals has denied  
17 Plaintiff's appeal due to a lack of jurisdiction. (ECF No. 20).

18 Plaintiff's emergency motion appears to request that the Court of Appeals promptly  
19 address his appeal in both this case and another pending case. (ECF No. 15). It appears  
20 that the motion was intended for the Court of Appeals, because Plaintiff signed it as  
21 "Appellant." (*Id.*) Because the Court of Appeals has already dismissed Plaintiff's appeal  
22 in this case, the Court denies the motion as moot.

23 Plaintiff's motion for an extension to file a second amended complaint states that  
24 he does not have access to the legal law library. (ECF No. 18). Plaintiff requests an  
25 additional 30 days in which to file a second amended complaint. (*Id.*) The Court grants  
26 Plaintiff an extension until **July 1, 2024**, to file a second amended complaint. Pursuant  
27 to the Court's screening order, this case will be subject to dismissal without prejudice if  
28 Plaintiff fails to file a second amended complaint by that deadline.

