

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

KEVIN FERNANDEZ,)	3:06-cv-00628-LRH-RAM
Plaintiff,)	
vs.)	<u>ORDER</u>
STATE OF NEVADA, et al.,)	
Defendants.)	

Before the court is Plaintiff’s Motion for Stay of Order (#64) Pending Appeal (#70¹), Government’s Response to Motion for Stay of Order Pending Appeal (#76), and Plaintiff’s Reply (#84).

The Court has conducted its review in this case, has fully considered the Plaintiff’s motion, and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1), and concludes as follows: the Magistrate Judge’s ruling (#7) was neither clearly erroneous nor contrary to law; Plaintiff has failed to show a likelihood of success on appeal, and Order (#64) is not an appealable decision.

Plaintiff’s Motion for Stay of Order (#64) Pending Appeal (#70) is denied.

IT IS SO ORDERED.

DATED this 13th day of March, 2009.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

¹Refers to this court’s docket number.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28