UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN ROBERT DEMOS, JR.

Petitioner,

vs.

UNITED STATES, et al.,

Respondents.

Case No. 3:10-cv-00091-LRH-VPC

ORDER

The Court dismissed this action for lack of jurisdiction. Order (#2). Petitioner has submitted a Motion for Reconsideration (#4) and a Motion to Amend the Pleadings (#5). Nothing in those motions changes the Court's conclusion that the correct respondent is the warden of the Washington prison where Petitioner is held, and that the Court does not have jurisdiction over that warden.

To the extent that the Petition could be construed as filed pursuant to 28 U.S.C. § 2254, the Court concludes that reasonable jurists would not find the dismissal to be debatable, and the Court will not grant a certificate of appealability.

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IT IS THEREFORE ORDERED that Petitioner's Motion for Reconsideration (#4) is **DENIED**.

IT IS FURTHER ORDERED that Petitioner's Motion to Amend the Pleadings (#5) is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

DATED this 25th day of March, 2010.

LARRY R. HICKS
UNITED STATES DISTRICT JUDGE