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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JOHN FLOWERS,  
  
Plaintiff,  
  
v.  
  
ELI LILLY AND COMPANY,  
  
Defendant.

3:14-CV-00094-LRH-VPC  
  
ORDER

Before the court is Plaintiff John Flowers’ Motion to Enhance Damages. ECF No. 109. Defendant Eli Lilly and Company has not responded.

This was a pharmaceutical product-liability suit in which pro se plaintiff Flowers alleged that the antipsychotic medicine Zyprexa, which Eli Lilly manufactures, caused his diabetes. The court granted in part Eli Lilly’s original motion for summary judgment on July 10, 2015 (ECF No. 61) and granted Eli Lilly summary judgment on the remainder of its claim on July 30, 2016 (ECF No. 107). The clerk of the court subsequently entered judgment in favor of Eli Lilly and against Flowers. ECF No. 108. Flowers appealed to the Ninth Circuit Court of Appeals, which dismissed his appeal for failure to comply with its order. ECF No. 113. Flowers also has another related civil case against the Northern Nevada Correctional Center before another court within this district. Flowers v. Baca, No. 14-cv-0366-RCJ-WGC. While the court in that case dismissed his complaint, the Ninth Circuit recently vacated the order and remanded the case. Id. at ECF No. 19.

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1            Because judgment was entered against Flowers in his case before this court, it is unclear  
2            what relief he is seeking through his present motion. Simply put, there are no damages to  
3            enhance. It is possible that he has confused his now-closed case before this court with his now-  
4            pending case against the Northern Nevada Correctional Center.

5            IT IS THEREFORE ORDERED that Plaintiff Flowers' Motion to Enhance Damages  
6            (ECF No. 109) is **DENIED**.

7            IT IS SO ORDERED.

8  
9            DATED this 10th day of February, 2017.



10            LARRY R. HICKS  
11            UNITED STATES DISTRICT JUDGE