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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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JAMES R. MCDANIEL, JR.,)
)
Plaintiff,)
)
vs.)
)
JAMES COX et al.,)
)
Defendants.)
_____)

3:15-cv-00116-RCJ-WGC

ORDER

The Court dismissed the Second Amended Complaint upon screening under 28 U.S.C. § 1915A, with leave to amend. When Plaintiff failed to timely amend as directed by the Court, the Court dismissed the action without prejudice. Plaintiff later filed a Motion to Explain (ECF No. 16), a Motion to Extend Time to File Third Amended Complaint (ECF No. 17), a Third Amended Complaint (ECF No. 18), a Motion to Add Page (ECF No. 19), a Notice of Appeal (ECF No. 20), and a Motion to Respond to Appeal Documents (ECF No. 22). The Court of Appeals has dismissed the appeal for failure to prosecute under Circuit Rule 42-1, and this Court cannot countermand that ruling by reviving the action, even if it were inclined to reconsider.

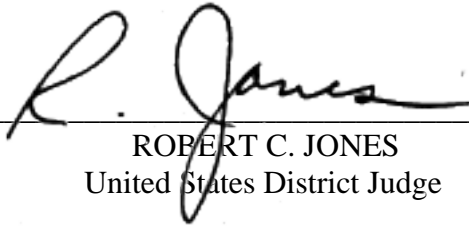
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1 **CONCLUSION**

2 IT IS HEREBY ORDERED that the Motion to Extend Time to File Third Amended
3 Complaint (ECF No. 17) is DENIED, and the Motions (ECF Nos. 16, 19, 22) are DENIED as
4 moot.

5 IT IS SO ORDERED.

6 Dated this 12th day of February, 2016.

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9 ROBERT C. JONES
10 United States District Judge
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