

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEFFREY SMITH, *et al.*,
Plaintiffs,

vs.

CITY OF CINCINNATI, *et al.*,
Defendants.

Case No. 1:12-cv-648

Spiegel, J.
Litkovitz, M.J.

ORDER

This matter is before the Court on plaintiff's "Motion for Finding Defendants in Contempt with Order with Grounds, Judgment, and Injunction" (Doc. 50); Motion for Sanctions (Doc. 51); "Response as Objection" (Doc. 52); and "Objection in Response." (Doc. 53).

In view of this Court's Order and Judgment entry dated June 19, 2013 (Docs. 46, 47) and plaintiff's pending appeal before the Sixth Circuit Court of Appeals, plaintiff lacks authority to file, and this Court lacks any basis upon which to consider plaintiff's filings. *See* Fed. R. Civ. P. 59, 60. *See also Lewis v. Alexander*, 987 F.2d 392, 394 (6th Cir. 1993) ("As a general rule, the district court loses jurisdiction over an action once a party files a notice of appeal, and jurisdiction transfers to the appellate court."). Therefore, plaintiff's motions are **DENIED**.

IT IS SO ORDERED.

Date: 10/3/13


Karen L. Litkovitz
United States Magistrate Judge