

**United States District Court
District of Nevada (Las Vegas)
CIVIL DOCKET FOR CASE #: 2:16-cv-00004-JAD-VCF**

Schaefer v. Cegavsky et al
Assigned to: Judge Jennifer A. Dorsey
Referred to: Magistrate Judge Cam Ferenbach
Case in other court: Ninth Circuit, 17-15961
Cause: 28:1331 Fed. Question

Date Filed: 01/04/2016
Date Terminated: 04/21/2017
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff

Michael Schaefer

represented by **Michael Schaefer**
9509 Sundial Dr
Las Vegas, NV 89134
702-466-5407
PRO SE

V.

Defendant

Barbara Cegavsky
Secretary of State, State of Nevada

represented by **Lori M Story**
Office of the Attorney General
555 Wright Way
Carson City, NV 89711
775-684-4605
Fax: 775-684-4601
Email: lstory@ag.nv.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Joseph P Gloria
Registrar of Voters, Clark County, Nevada
TERMINATED: 02/29/2016

Defendant

Ruben Kiihuen
TERMINATED: 03/18/2016

Defendant

Susie Lee
TERMINATED: 03/18/2016

Defendant

John Ocegüera
TERMINATED: 03/18/2016

Defendant**Lucy Flores***TERMINATED: 03/18/2016*

Date Filed	#	Docket Text
01/04/2016		Case assigned to Judge Jennifer A. Dorsey and Magistrate Judge Cam Ferenbach. (RT) (Entered: 01/04/2016)
01/04/2016	<u>1</u>	MOTION/APPLICATION for Leave to Proceed in forma pauperis by Plaintiff Michael Schaefer. (Attachments: # <u>1</u> Complaint, # <u>2</u> Civil Cover Sheet)(MMM) (Entered: 01/05/2016)
01/11/2016	<u>2</u>	ORDER that Plaintiff's <u>1</u> Motion/Application for Leave to Proceed in forma pauperis is Granted. The Clerk of the Court shall file the <u>1</u> -1 Complaint. REPORT AND RECOMMENDATION that Plaintiff's Complaint be Dismissed with leave to amend for failure to state a claim. FURTHER RECOMMENDED that if the court adopts this Report & Recommendation, a date be set for the filing of the Amended Complaint to avoid dismissal with prejudice. Objections to R&R due by 1/28/2016. Signed by Magistrate Judge Cam Ferenbach on 1/11/2016. (Copies have been distributed pursuant to the NEF - SLD) (Entered: 01/12/2016)
01/11/2016	<u>3</u>	COMPLAINT against Barbara Cegavsky, Lucy Flores, Joseph P Gloria, Ruben Kiihuen, Susie Lee, John Oceguela filed by Michael Schaefer. Certificate of Interested Parties due by 1/21/2016. Proof of service due by 5/10/2016. (SLD) (Entered: 01/12/2016)
01/14/2016	<u>4</u>	Summons Issued as to Barbara Cegavsky, Lucy Flores, Joseph P Gloria, Ruben Kiihuen, Susie Lee, John Oceguela re <u>3</u> Complaint. (SLD) (Entered: 01/14/2016)
01/27/2016	<u>5</u>	MOTION to Extend Time regarding to Respond to <u>2</u> Order and Report and Recommendation, by Plaintiff Michael Schaefer. (PS) (Entered: 01/28/2016)
02/02/2016	<u>6</u>	ORDER Granting <u>5</u> Motion to Extend Time to Respond re <u>2</u> Order and Report and Recommendation. Objections to R&R due by 2/29/2016. Signed by Judge Jennifer A. Dorsey on 2/2/16. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 02/02/2016)
02/22/2016	<u>7</u>	OBJECTION to <u>2</u> Report and Recommendation by Plaintiff Michael Schaefer. Response to Objections to R&R due by 3/10/2016. (SLD) (Entered: 02/23/2016)
02/22/2016	<u>8</u>	REQUEST for Judicial Notice by Plaintiff Michael Schaefer. (SLD) (Entered: 02/23/2016)
02/29/2016	<u>9</u>	NOTICE of Voluntary Dismissal by Plaintiff Michael Schaefer. Party Joseph P Gloria (Registrar of Voters, Clark County, Nevada) terminated. (SLD) (Entered: 03/01/2016)
02/29/2016	<u>10</u>	MOTION to Correct the spelling of Defendant Barbara Cegavsky in the <u>3</u> Complaint. by Plaintiff Michael Schaefer. Responses due by 3/17/2016. (SLD) (Entered: 03/01/2016)
03/11/2016	<u>11</u>	MOTION for Decision re <u>2</u> Report and Recommendation by Plaintiff Michael Schaefer. Responses due by 3/28/2016. (SLD) (Entered: 03/14/2016)
03/18/2016	<u>12</u>	EMERGENCY EX PARTE MOTION for Prompt Setting of Hearing re Order to Show Cause by Plaintiff Michael Schaefer. (SLD) (Entered: 03/21/2016)
03/18/2016	<u>13</u>	SUMMONS Returned Executed by Michael Schaefer re <u>3</u> Complaint and <u>4</u> Summons Issued. Barbara Cegavsky served on 3/16/2016, answer due 4/6/2016. (SLD) (Entered: 03/21/2016)

03/18/2016	<u>14</u>	NOTICE of Dismissal by Plaintiff Michael Schaefer as to Defendants Susie Lee, John Oceguera, Lucy Flores and Ruben Kiihuen. (SLD) (Entered: 03/21/2016)
03/21/2016	<u>15</u>	SUPPLEMENTAL PROOF OF SERVICE by Plaintiff Michael Schaefer. (SLD) (Entered: 03/22/2016)
03/21/2016	<u>16</u>	Submission of PROPOSED SCHEDULING ORDER filed by Plaintiff Michael Schaefer. (Attachments: # <u>1</u> Cover Letter)(SLD) (Entered: 03/22/2016)
03/22/2016	<u>17</u>	EMERGENCY MOTION re: OSC re: 6/14/16 Federal Election Pursuant to Local Rule 7-5, filed by Plaintiff Michael Schaefer. (MMM) (Entered: 03/23/2016)
03/22/2016	<u>18</u>	SUPPLEMENTAL EMERGENCY MOTION re <u>17</u> Motion re: OSC by Plaintiff Michael Schaefer. Responses due by 4/8/2016. (MMM) (Entered: 03/23/2016)
03/24/2016	<u>19</u>	ORDER that Judge Ferenbach's <u>2</u> Report and Recommendation is ADOPTED, Plaintiff's <u>7</u> Objections are OVERRULED, and Plaintiff's <u>3</u> Complaint is DISMISSED without prejudice. All other pending <u>10</u> , <u>11</u> , <u>12</u> , <u>17</u> , and <u>18</u> Motions are DENIED as moot. Plaintiff has until 4/15/2016 to file an Amended Complaint that states a plausible claim for relief. If plaintiff fails to file an Amended Complaint by that deadline this case will be dismissed with prejudice without further warning. Signed by Judge Jennifer A. Dorsey on 3/23/2016. (Copies have been distributed pursuant to the NEF - SLD) (Entered: 03/24/2016)
03/25/2016	<u>20</u>	NOTICE of Appearance by attorney Lori M Story on behalf of Defendant Barbara Cegavsky. (Story, Lori) (Entered: 03/25/2016)
04/04/2016	<u>21</u>	FIRST AMENDED COMPLAINT against Barbara Cegavsky filed by Michael Schaefer. No changes to parties. Proof of service due by 7/3/2016. (SLD) (Entered: 04/04/2016)
04/04/2016	<u>22</u>	MOTION for Hearing re Issuance of a Preliminary Injunction by Plaintiff Michael Schaefer. (SLD) (Entered: 04/04/2016)
04/08/2016	<u>23</u>	SUPPLEMENT to <u>22</u> Motion for Hearing re Issuance of a Preliminary Injunction by Plaintiff Michael Schaefer. (SLD) (Entered: 04/12/2016)
04/12/2016	<u>24</u>	ORDER denying Schaefer's <u>22</u> Motion for preliminary injunction and denying as moot the request for a hearing on that motion combined with a trial on the merits. Schaefer has until 4/26/2016 to show cause why this case should not be dismissed under the doctrine of res judicata. Any reply by the Nevada Secretary of State to Schaefer's response to the the order to show cause must be filed within 7 days of service of Schaefer's response. No further briefing will be permitted. If Schaefer does not file a document showing good cause by 4/26/16, this case will be dismissed in its entirety without further notice and without prejudice. Signed by Judge Jennifer A. Dorsey on 4/12/16. (Copies have been distributed pursuant to the NEF - EW) (Entered: 04/13/2016)
04/25/2016	<u>25</u>	RESPONSE TO ORDER TO SHOW CAUSE by Plaintiff Michael Schaefer. (SLD) (Entered: 04/25/2016)
04/26/2016	<u>26</u>	REPLY to <u>25</u> Response to Order to Show Cause ; filed by Defendant Barbara Cegavsky. (Story, Lori) (Entered: 04/26/2016)
04/29/2016	<u>27</u>	SURREPLY to <u>26</u> Reply re <u>25</u> Response to Order to Show Cause filed by Plaintiff Michael Schaefer. (SLD) (Entered: 05/02/2016)
09/20/2016	<u>28</u>	MOTION for Summary Adjudication on Legal Issues by Plaintiff Michael Schaefer. Responses due by 10/7/2016. (SLD) (Entered: 09/21/2016)
02/01/2017	<u>29</u>	MOTION for Trial re: Motion for Summary Judgment; filed by Plaintiff Michael Schaefer.

		Responses due by 2/15/2017. (NEV) (Entered: 02/02/2017)
04/21/2017	30	ORDER that this case is DISMISSED with prejudice, and Schaefer's 28 , 29 motions for a decision on the merits are DENIED as moot. The Clerk of Court is directed to CLOSE this case. Signed by Judge Jennifer A. Dorsey on 4/21/2017. (Copies have been distributed pursuant to the NEF - SLD) (Entered: 04/21/2017)
04/21/2017	31	CLERK'S JUDGMENT in favor of Defendant Barbara Cegavsky and against Plaintiff Michael Schaefer. Signed by Clerk of Court Debra K. Kempf on 4/21/2017. (Copies have been distributed pursuant to the NEF - SLD) (Entered: 04/21/2017)
05/09/2017	32	NOTICE OF APPEAL as to 30 Order and 31 Clerk's Judgment by Plaintiff Michael Schaefer. (Filing fee \$505 NOT PAID). E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (SLD) (Entered: 05/10/2017)
05/10/2017	33	USCA ORDER for Time Schedule as to 32 Notice of Appeal filed by Michael Schaefer. USCA Case Number 17-15961 . Payment of the \$505 docketing and filing fees is past due. Failure to correct this deficiency within 14 days will result in the dismissal of this case for failure to prosecute. (MMM) (Entered: 05/11/2017)
05/11/2017	34	REFERRAL NOTICE re 32 Notice of Appeal : This matter is referred to the district court for the limited purpose of determining whether in forma pauperis status should continue for this appeal or whether the appeal is frivolous or taken in bad faith. If the district court elects to revoke in forma pauperis status, the district court is requested to notify this court and the parties of such determination within 21 days of the date of this referral. (MMM) (Entered: 05/11/2017)
05/17/2017	35	ORDER re USCA 34 Referral Notice. Michael Schaefer's pauper status should continue for this appeal (Ninth Cir. Case No. 17-15961). The Clerk of Court is directed to notify the Ninth Circuit Court of Appeals that this court DOES NOT elect to revoke Michael Schaefer's pauper status. Signed by Judge Jennifer A. Dorsey on 5/17/2017. (Copies have been distributed pursuant to the NEF - cc: USCA - SLD) (Entered: 05/17/2017)
12/21/2017	36	MEMORANDUM of USCA, Ninth Circuit, as to 32 Notice of Appeal filed by Michael Schaefer. AFFIRMED. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 12/21/2017)
01/12/2018	37	MANDATE of USCA, Ninth Circuit, as to 36 USCA Memorandum AFFIRMING the judgment of the District Court re 32 Notice of Appeal filed by Michael Schaefer, (Copies have been distributed pursuant to the NEF - MMM) (Entered: 01/12/2018)
01/12/2018	38	ORDER on Mandate as to 37 USCA Mandate re 36 USCA Memorandum AFFIRMING the judgment of the District Court re 32 Notice of Appeal filed by Michael Schaefer. Signed by Judge Jennifer A. Dorsey on 1/12/2018. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 01/12/2018)

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