

DEC 02 2015

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PETER J. HELFRICH,

Plaintiff - Appellant,

v.

THE NEVADA BAR; et al.,

Defendants - Appellees.

No. 14-16376

D.C. No. 2:12-cv-01399-APG-
PAL

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Andrew P. Gordon, District Judge, Presiding

Submitted November 18, 2015**

Before: TASHIMA, OWENS, and FRIEDLAND, Circuit Judges.

Peter J. Helfrich, a Nevada state prisoner, appeals pro se from the district court's order striking his motions for leave to proceed in forma pauperis and for production of documents. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the district court's order striking a motion after

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

judgment has been entered in the action. *Lindauer v. Rogers*, 91 F.3d 1355, 1357 & n.1 (9th Cir. 1996). We affirm.

The district court did not abuse its discretion by striking Helfrich's motions because final judgment had been entered, and judgment was not first reopened. *See id.* (in the context of a motion to file an amended complaint, a post-judgment motion may be considered only if the judgment is first reopened under Rule 59 or 60 of the Federal Rules of Civil Procedure).

We do not consider Helfrich's arguments concerning the district court's November 29, 2012 order denying his motion for in forma pauperis status because Helfrich failed to file a timely notice of appeal from that order. *See* Fed. R. App. P. 4(a)(1)(A) (notice of appeal must be filed within 30 days after entry of judgment); *Bowles v. Russell*, 551 U.S. 205, 214 (2007) (“[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement.”).

Helfrich's motions and requests, filed on September 23, 2014, January 9, 2015, and August 20, 2015, are denied.

AFFIRMED.