

APPENDIX

A

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 12 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JUAN CARLOS ORTEGA LARA,

Petitioner-Appellant,

v.

RAYMOND MADDEN, Warden,

Respondent-Appellee.

No. 18-55764

D.C. No.

5:17-cv-00474-ODW-KS

Central District of California,
Riverside

ORDER

A review of the record suggests that this court may lack jurisdiction over the request for certificate of appealability because the notice of appeal was not filed or deposited for mailing in the prison's internal mail system within 30 days after the district court's judgment entered on February 26, 2018. *See* 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A), (c).

Within 21 days after the filing date of this order, appellant shall move for voluntary dismissal of the request for certificate of appealability or show cause why it should not be dismissed for lack of jurisdiction. If appellant elects to show cause, a response may be filed within 10 days after service of appellant's memorandum.

If appellant does not comply with this order, the Clerk shall dismiss this request for certificate of appealability pursuant to Ninth Circuit Rule 42-1.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Karen M. Burton
Deputy Clerk
Ninth Circuit Rule 27-7

APPENDIX

B

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 3 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JUAN CARLOS ORTEGA LARA,

Petitioner-Appellant,

v.

RAYMOND MADDEN, Warden,

Respondent-Appellee.

No. 18-55764

D.C. No.

5:17-cv-00474-ODW-KS

Central District of California,
Riverside

ORDER

Before: SCHROEDER and HURWITZ, Circuit Judges.

We have received and reviewed appellant's response to this court's June 12, 2018 order to show cause.

The request for a certificate of appealability is denied because the notice of appeal was not timely filed and appellant did not file a motion to extend time for appeal in the district court within the jurisdictional time limit. *See* 28 U.S.C. §§ 2107, 2253(c)(2); Fed. R. App. P. 4(a)(5)(A).

Any pending motions are denied as moot.

DENIED.

**Additional material
from this filing is
available in the
Clerk's Office.**