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U.S. COURT OF APPEALS

MAR 16 2015

FILED \_\_\_\_\_  
DOCKETED \_\_\_\_\_ DATE \_\_\_\_\_ INITIAL \_\_\_\_\_

1 Tyrone Duff  
2 Linda Duff  
3 P.O. Box 2512  
4 Bellingham, WA. 98227  
5 (360) 752-1775

6 Appellants In Pro Se

7 **UNITED STATES COURT OF APPEALS**  
8 **FOR THE NINTH CIRCUIT**

9  
10  
11 **RICHARD W. LEWIS, PhD.,**

12 Plaintiff/Courter Defendant/  
13 Appellee,

9<sup>th</sup> Cir. Case No. 13-16181

14 vs.

D.C. Case No.  
3:99-cv-00386-LRH-WGC

15 **TYRONE DUFF and LINDA DUFF,**

16 Defendants/Counter Claimants/  
17 Appellants,

18 and

19 ELIZABETH RICHITT, PhD.:  
20 RICHARD WEIHER, PhD., DAVID  
21 ANTONUCCIO, PhD., LOUIS  
22 MORTILLARO, PhD., DENNIS  
23 ORTWEIN, CHRISTA PETERSON,  
24 PhD., STATE OF NEVADA,  
25 BOARD OF PSYCHOLOGICAL  
26 EXAMINERS,

27 Defendants.  
28 /

29 **APPELLANTS' REQUEST FOR DECISION ON**  
30 **THEIR PENDING APPEAL (SECOND REQUEST)**

31 ///

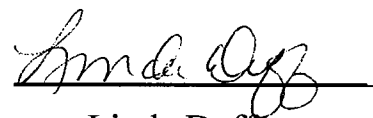
1 COMES NOW Appellants, Tyrone Duff and Linda Duff, In Pro Se  
2 and hereby requests this Court render its disposition on their pending  
3 appeal, filed September 17, 2013. Specifically, the district court was  
4 without federal jurisdiction under 28 USC §1331, in Plaintiff Richard W.  
5 Lewis' Section 1983, action after the order (#139) dismissed Defendant  
6 State of Nevada, with prejudice, July 12, 2001, based on the State's  
7 sovereign immunity under the Eleventh Amendment, which bars suit  
8 against the State and the State did not waive its sovereign immunity as to  
9 the plaintiff's claim nor does §1983 supercede the Eleventh Amendment.  
10 Therefore, this Court is without reason, probable cause, legal justification or  
11 excuse for any further delay in rendering its disposition in this matter,  
12 specifically given the fact, the district court's order (#139) granting  
13 Defendant State of Nevada sovereign immunity under the Eleventh  
14 Amendment was before this Court in the Appellants' prior appeals in case  
15 nos. 02-16612, 04-15326, 08-17314, where justices delayed is justice  
16 denied.

17 DATED this 12<sup>th</sup> day of March 2015.

18  
19  
20 By:



Tyrone Duff



Linda Duff

P.O. Box 2512  
Bellingham, WA. 98227  
(360) 752-1775

Appellants In Pro Se

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**CERTIFICATE OF SERVICE**


Pursuant to FRAP 25(b), the undersign hereby certifies that on this 12<sup>th</sup> day of March 2015, they mailed a true and correct copy of the foregoing: **APPELLANTS' REQUESEST FOR DECISION ON THEIR PENDING APPEAL (SECOND REQUEST)**, in 9<sup>TH</sup> Circuit case no. 13-16181/D.C. case no. 3:99-cv-00386-LRH-WGC via first class postage, fully prepaid, to the last known addresses of the following:

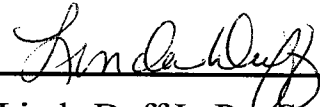
Marie Mirch Esq.  
750 B. Street #2500  
San Diego, CA. 92101

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Sarah Bradley, Esq.  
Deputy Attorney General  
Nevada Attorney General's Office  
100 North Carson Street  
Carson City, Nevada 89701

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\_\_\_\_\_  
Tyrone Duff In Pro Se

  
\_\_\_\_\_  
Linda Duff In Pro Se