

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

June 29, 2023

**Christopher M. Wolpert
Clerk of Court**

CHASTITY QUINTANA,

Plaintiff - Appellant,

v.

RODNEY WIRTHLIN; RAYMOND S.
SHUEY; DOMAIN SUMMARY; DAN
AVIS; ANGELA F. MICKLOS; DENISE
M. PORTER; J. BROWN; CHYLEEN A.
ARBON; CARRIE L. COCHRAN;
CLARK A. HARMS; GREG E.
JOHNSON,

Defendants - Appellees.

No. 23-4083
(D.C. No. 2:20-CV-00156-TS)
(D. Utah)

CHASTITY QUINTANA,

Plaintiff - Appellant,

v.

LOGAN CLARK, PA, Utah State Prison
Clinical Services Bureau; TODD GAY,
PA, Utah State Prison Clinical Services
Bureau; MIKE HADDON, Executive
Director, Utah State Prison; JIM
HUDSPETH, Deputy Director, Utah State
Prison; TONY WASHINGTON, Clinical
Service Bureau, Director; BLITCH
SHUMAN, Deputy Director, Utah State
Prison; MENTAL HEALTH PROGRAM
ADMINISTRATOR, Mental Health
Bureau of Clinical Services;
TIMPANOGOS MTT
ADMINISTRATION, Mental Health

No. 23-4084
(D.C. No. 2:20-CV-00157-RJS)
(D. Utah)

Bureau of Clinical Services; JULIE LNU, Therapy, Mental Health Bureau of Clinical Services; CHARLOTTE WRAY, Therapy, Mental Health Bureau of Clinical Services; CALDER LNU, Therapy, Mental Health Bureau of Clinical Services; SHYDER LNU, Therapy, Mental Health Bureau of Clinical Services; TERRY JEFFIES, Provider, Mental Health Bureau of Clinical Services,

Defendants - Appellees.

CHASTITY QUINTANA,

Plaintiff - Appellant,

v.

RAY SHEWY; EDWIN S. WALL; RON FUJINO; RONDA J. WOOLSTON; SALT LAKE CITY POLICE DEPARTMENT; (FNU) BROMLEY, Officer; FNU HANSEN, Officer; THIRD JUDICIAL DISTRICT COURT, Salt Lake City; RICHARD MCKELVIE, Honr.; RAYMOND S. SHUEY; ADULT PROBATION & PAROLE, 3rd Region; RODNEY WIRTHLIN, Investigator; DOMAIN SUMMARY, Investigator; DON AVIS, Approved by D4292018-CS-16; BOARD OF PARDONS AND PAROLE, State of Utah; CARRIE L. COCHRAN, Chair; CLARK A. HARMS, Member; GREG E. JOHNSON, Member; ANGELA F. MICKLOS, Member; DENISE PORTER, Member; J. BROWN, Support Service Coordinator; CHYLEEN A. ARBON, Board Chair,

Defendants - Appellees.

No. 23-4085
(D.C. No. 2:20-CV-00092-JNP)
(D. Utah)

CHASTITY QUINTANA,

Plaintiff - Appellant,

v.

UTAH STATE PRISON, employee; FNU SPOTTS, Officer; FNU GRAHAM, Officer; FNU SMITH, Officer; TAMMIE WESTERMAN, Officer; FNU WHITNEY, Officer; FNU LARSEN, Officer; FNU BURTON, Case Worker; FNU STARKS, Case Worker; FNU NAUGARATO, Officer; FNU DIMETRE, Officer; MALAN WHITE, Lieutenant; FNU MELONEY, Officer; FNU CORL, Officer; FNU ADAM, Officer,

Defendants - Appellees.

No. 23-4087
(D.C. No. 2:20-CV-00093-HCN)
(D. Utah)

ORDER

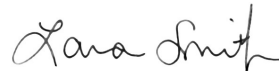
Before **BACHARACH**, **BRISCOE**, and **EID**, Circuit Judges.

Pro se plaintiff Chastity Quintana filed a document the district court construed as a notice of appeal in four of her closed cases and two other pending cases that will be addressed by separate order. The document deemed to be a notice of appeal fails to comply with Federal Rules of Appellate Procedure 3, so these appeals are subject to dismissal solely on this basis. *Smith v. Barry*, 502 U.S. 244, 248 (1992) (“Rule 3’s dictates are jurisdictional in nature, and their satisfaction is a prerequisite to appellate review.”). More importantly, Ms. Quintana already appealed the district court’s

dismissals of those cases earlier this year. All four appellate cases were dismissed because the notice of appeal was substantially untimely. *Quintana v. Wirthlin*, Case No. 23-4062; *Quintana v. Clark*, Case No. 23-4063; *Quintana v. Utah State Prison*, Case No. 23-4064; *Quintana v. Shewy*, Case No. 23-4065 (10th Cir. Order, May 12, 2023) (unpublished). Filing a second or subsequent appeal from the same final decision is not permitted by the federal appellate rules. And just like her prior four appeals, her new and successive appeals of the district court's 2020 dismissals are considerably late. Consequently, we conclude this court lacks jurisdiction to consider Ms. Quintana's successive and untimely appeals. *Amazon, Inc. v. Dirt Camp, Inc.*, 273 F.3d 1271, 1274 (10th Cir. 2001) (“[W]e have an independent duty to examine our own jurisdiction.” (citation omitted)). These appeals are dismissed.

Ms. Quintana is cautioned that filing additional appeals in the same long-closed cases without any new appealable decisions entered by the district court or that fail to demonstrate a good faith effort to comply with the procedural rules may subject her to sanctions by this court, including but not limited to filing restrictions on future appeals.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



by: Lara Smith
Counsel to the Clerk