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1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 Jonathan C. Bertanelli, 9 Plaintiff, CV 11-1340-PHX-PGR (BSB) 10 **ORDER** v. 11 Charles L. Ryan, et al., 12 Respondents. 13 14 Before the Court are Plaintiff's "Emergency Objection to Magistrate Denial of 15 16 17 18 19

Plaintiff's Second Motion for Stay of Proceedings Pending Petition for Certiorari Review and Motion for Order Not to Respond to Defendant's Motion to Dismiss" (Doc. 79; see Doc. 84); "Motion for Stay Not to Respond to Defendants' Motion to Dismiss Pending Court's Ruling on Plaintiff's First Amended Complaint" (Doc. 86); and "Third Motion for Stay of the District Court's Proceedings on Plaintiff's Original Complaint Pending Plaintiff's Petition for Certiorari Review" (Doc. 87). These motions will be denied.

On September 7, 2011, Plaintiff filed a complaint alleging civil rights violations under 42 U.S.C. § 1983. (Doc. 1.) On March 12, 2012, Defendants filed a motion to dismiss. (Doc. 32.) On April 13, 2012, Magistrate Judge Anderson ordered Plaintiff to respond the motion to dismiss no later than May 7, 2012. (Doc. 42.) This deadline was subsequently extended to June 16, then to July 9, and finally to August 15, at which point Plaintiff was informed that no further extension would be granted. (Doc. 81.)

On June 25, 2012, Magistrate Judge Anderson denied as moot Plaintiff's "Motion in Opposition to the Court's Anticipated Pre-Screening Order Dismissing Plaintiff's Policy Claim" and found no basis for staying this action while Plaintiff petitions the United States Supreme Court for review of the Ninth Circuit Court of Appeals order denying his interlocutory appeal. (Doc. 72.) Plaintiff seeks reconsideration of that order. (Docs. 79, 84.) Because he has not shown that Magistrate Judge Anderson's decision is clearly erroneous or contrary to law, *see* Fed. R. Civ. P. 72(a), Plaintiff's motions are denied.

Plaintiff has again moved to stay the proceedings. (Doc. 86, 87.) These motions are also denied. As noted, Plaintiff has been granted several extensions of the deadline for responding to Defendants' motion to dismiss. Plaintiff again fails support his requests for further delay.

Accordingly,

IT IS ORDERED denying Plaintiff's "Emergency Objection to Magistrate Denial of Plaintiff's Second Motion for Stay of Proceedings Pending Petition for Certiorari Review and Motion for Order Not to Respond to Defendant's Motion to Dismiss" (Docs. 79, 84).

IT IS FURTHER ORDERED denying Plaintiff's Motions to Stay (Docs. 86, 87). DATED this 6th day of September, 2012.

Paul G. Rosenblatt

United States District Judge