

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MICHAEL R. SPENGLER,
Plaintiff,

v.

POMONA POLICE DEPT., et al.,
Defendants.

Case No. CV 17-8665-DOC (SP)

**ORDER ACCEPTING FINDINGS AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Third Amended Complaint, records on file, and the Report and Recommendation of the United States Magistrate Judge. Plaintiff has not filed any written Objections to the Report within the time permitted, but subsequent to the Report plaintiff did file a request to stay this case under *Younger*, consistent with the Report’s recommendation. The Court accepts the findings and recommendation of the Magistrate Judge.

IT IS THEREFORE ORDERED that: (1) plaintiff’s Request to Stay under *Younger* (docket no. 27) is granted; (2) this case is stayed until the related state criminal case is no longer pending; and (3) the Court Clerk is directed to administratively close this case. Plaintiff is instructed that, if he wishes to continue

1 with this case after disposition of the criminal charges against him, he must file a
2 request that the stay be lifted and the case be re-opened within sixty (60) days of the
3 final disposition of the criminal charges (including all appeals).

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: January 17, 2020

David O. Carter

HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE