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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CARMON WARREN,

CASE NO. 1:03-cv-06336-AWI-SKO PC

Plaintiff,

ORDER STAYING ACTION PENDING
RESOLUTION OF DEFENDANT’S MOTION
TO DISMISS

v.

S. SHAWNEGO,

(Docs. 44 and 51)

Defendant.

_____/

Plaintiff Carmon Warren, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on September 29, 2003. Currently pending before the Honorable Anthony W. Ishii is the undersigned’s recommendation that Defendant Shawnego’s motion to dismiss be granted, filed on August 12, 2011.

Subsequent filings by both parties suggest that they are actively engaged in discovery. Given that resolution of Defendant’s motion to dismiss may conclude this action and render any need for discovery moot, this action is **HEREBY ORDERED STAYED** pending Judge Ishii’s ruling on the motion to dismiss.¹

IT IS SO ORDERED.

Dated: November 2, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ Should Judge Ishii deny the motion to dismiss, an amended scheduling order will be issued by the undersigned.