## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 1:05-cv-180 AWI GSA MICHAEL F. SCHULZE, 12 Plaintiff. 13 v. ORDER DENYING MOTION FOR STAY 14 FEDERAL BUREAU OF INVESTIGATION, et al, 15 (Doc. 119) Defendants. 16 17 Plaintiff, Michael Schulze ("Plaintiff"), filed a Motion to Stay on May 16, 2014. (Doc. 18 119). In the motion, Plaintiff requests that this case be stayed pending his transfer to another 19 20 prison. 21 "[T]he decision to grant a stay ... is 'generally left to the sound discretion of district 22 courts." Ryan v. Gonzales, — U.S. —, —, 133 S.Ct. 696, 708, (2013) (quoting Schriro v. 23 Landrigan, 550 U.S. 465, 473, 127 S.Ct. 1933 (2007)). However, "[t]he proponent of a stay bears 24 the burden of establishing its need," and issuing a stay without taking any account of the 25 nonmovant's interests in proceeding can be an abuse of discretion. Clinton v. Jones, 520 U.S. 681, 26 708, 117 S.Ct. 1636 (1997). In determining whether to stay proceedings, courts generally 27 "consider[] the following factors: (1) judicial economy; (2) the moving party's hardship; and (3) 28

1	potential prejudice to the non-moving party." Single Chip Sys. Corp. v. Intermec IP Corp., 495
2	F.Supp.2d 1052, 1057 (S.D.Cal.2007).
3	Here, there are no upcoming deadlines since all of the briefing on the pending motions
4	has been completed. Accordingly, there is no need to stay this litigation at this time. Plaintiff is
5	advised that pursuant to Local Rule 182(f) he must keep the Court apprised of his new address
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7	once the transfer is complete. Failure to do so may result in dismissal of this action.
8	Accordingly, it is hereby ordered that Plaintiff's motion to stay this action is DENIED.
9	The Clerk of the Court is directed to serve this order on Plaintiff via United States mail at the
10	following addresses:
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12	Michael Schulze Michael Schulze
13	36817-048 Register Number 36817-048 c/o Chris F. Schulze
14	P.O. Box 699 91-189 Ewa Beach Road
15	Estill, SC 29918 Ewa Beach, HI 96706
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18	IT IC CO ODDEDED
19	IT IS SO ORDERED.
20	Dated: June 3, 2014 /s/ Gary S. Austin UNITED STATES MAGISTRATE JUDGE
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