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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT BENYAMINI,
Plaintiff,
v.

CASE NO. 1:06-cv-01096-AWI-GSA PC
ORDER DENYING MOTION FOR STAY
(Doc. 60)

DEBBIE MANJUANO, et al.,
Defendants.
_____ /

Plaintiff Robert Benyamini is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On October 21, 2009, Plaintiff filed a motion seeking a stay based on his medical and mental health issues.

The United States Marshal is currently attempting to serve Defendants with process. Therefore, at this time, nothing is required of Plaintiff. Once Defendants appear in this action, and either Defendants file a motion or the Court sets deadlines, Plaintiff may renew his motion if necessary or seek an extension of time.

Based on the foregoing, Plaintiff’s motion is HEREBY DENIED.

IT IS SO ORDERED.

Dated: October 23, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE