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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TIMOTHY CRAYTON,
Plaintiff,

v.

CORRECTIONAL OFFICER A.
HEDGPETH, et al.,
Defendants.

No. C 08-00621 WHA (PR)

**ORDER GRANTING REQUEST FOR
STAY**

This is a civil rights action filed under 42 U.S.C. 1983 by a California prisoner proceeding pro se. On August 7, 2012, the court granted defendants' motion to dismiss misjoined defendants and claims. (Dkt. 221.) The court found that Claims 7 and 8, raising claims of deliberate indifference, were properly joined, and could proceed without violating Federal Rules of Civil Procedure 18 or 20. The court gave plaintiff the option to file a second amended complaint raising claims other than Claims 7 and 8, if he preferred to proceed with other claims instead. Plaintiff requested, and the court granted, two extensions of time within which to file a second amended complaint. On December 14, 2012, having received no second amended complaint, the court dismissed Claims 10, 11, 12, 13, 16, and 17 without prejudice to re-filing in a separate lawsuit, and set a briefing schedule. (Dkt. 232.)

On January 18, 2013, defendants filed a motion for summary judgment. (Dkt. 234.) On February 13, 2013, plaintiff filed a status report in which he requests a stay of the proceedings. (Dkt. 239.) In plaintiff's status report, he states that, on January 11, 2013, he was transferred to

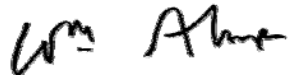
1 Salinas Valley State Prison (“SVSP”).¹ Plaintiff further states that because of the prison
2 transfer, he has not yet received all of his legal materials; because SVSP is on lockdown, some
3 of his legal materials will remain in the property unit and be unavailable to him; plaintiff’s
4 ADA accomodation typewriter was not transferred with him; and plaintiff was denied preferred
5 legal user status to the SVSP law library.²

6 Based on plaintiff’s allegations, the court will **GRANT** his request for a stay. This case
7 is **STAYED** until **JUNE 12, 2013**. Upon that date, the stay will automatically be lifted without
8 further order from this court. Plaintiff’s opposition to defendants’ motion for summary
9 judgment (dkt. 234, 235, 236) will also be on **JUNE 12, 2013**. Defendants must file their reply
10 no later than 14 days thereafter.

11 As plaintiff has been previously advised, due to the age of this case, any further requests
12 for extensions of time will be granted only in the most compelling circumstances

13 **IT IS SO ORDERED.**

14 Dated: March 8 , 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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26 _____
27 ¹ The Clerk shall note plaintiff’s change of address from Kern Valley State Prison to SVSP.

28 ² The court notes that plaintiff argues that he is being prevented from filing his second amended
complaint. However, the time for filing such complaint has already passed. (Dkt. 232.)