

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY GASTON,

1:08-cv-01629-GSA-PC

Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION
AS MOOT
(Doc. 51.)

v.

TERRONEZ,

Defendant.
/

Anthony Gaston ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. On September 22, 2011, Plaintiff filed a motion to stay the proceedings in this action pending the resolution of appellate proceedings at the United States Supreme Court in Plaintiff's Kern County Superior Court case S-1500-CV-263755-AEU (Gaston v. Terrones). (Doc. 51.) On February 28, 2012, the Court issued an order staying all of the proceedings in this action until Plaintiff has completed state court proceedings in case S-1500-CV-263755-AEU. (Doc. 53.) Inasmuch as this action is now stayed, Plaintiff's motion for stay is moot and shall be denied as such.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for a stay of the proceedings in this action, filed on September 22, 2011, is DENIED as moot.

IT IS SO ORDERED.

Dated: February 29, 2012/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE