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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**LARRY L. EDWARDS; ALAN M.  
HILDRETH,**

**Plaintiffs,**

**v.**

**DEPARTMENT OF STATE  
HOSPITAL -- COALINGA  
(FORMERLY DEPARTMENT OF  
MENTAL HEALTH – COALINGA);  
PAMELA AHLIN; DAVID  
MONTROYA; ANDREW BERARD;  
ROBERT OLIVERA,**

**Defendants.**

**1:13 – CV- 0105 AWI MJS**

**ORDER STRIKING PLAINTIFFS’  
MOTION FOR A FINAL JUDGMENT AS  
UNTIMELY**

**Doc. # 51**

In this action for damages, defendants Department of State Hospital – Coalinga, et al. (“Defendants”) have moved to dismiss the First Amended Complaint (“FAC”) of plaintiffs Larry L. Edwards and Alan M. Hildreth (“Plaintiffs”). That motion is currently under submission. On October 11, 2013, Plaintiffs filed the document titled “Motion for a Final Judgment” that is the subject of this order. The court notes that in a prior order granting Defendants’ motion to dismiss Plaintiffs’ original complaint filed on May 17, 2013, (the “May 17 Order”) (Document No. 43) the court provided a brief explanation of the necessary elements of a complaint and noted that

1 several intervening motions by Plaintiffs were untimely and therefore inappropriate. The court  
2 wishes to take this opportunity to add briefly to the information previously provided in the May  
3 17 Order by informing Plaintiffs that the court generally follows a sequence of procedures that  
4 begins with the a complaint followed by either an answer or a motion to dismiss. This sequence  
5 can be repeated two or three times until the court determines which claims, if any, are adequately  
6 stated. The parties then submit information for a scheduling conference after which the court  
7 issues deadlines for the completion of the various stages of a litigation: discovery, motions for  
8 summary judgment, pre-trial motions and trial. At no time during this process is it appropriate for  
9 a party to try to shortcut the process by filing a motion for final judgment.

10 Plaintiffs are encouraged to realize that this process may take a good deal more time than  
11 they may expect; especially since increasing workloads for the court have resulted in significant  
12 backlogs of issues to be resolved. Actions such as the one commenced by Plaintiffs seldom  
13 resolve in less than two years. Patience and adherence to the process directed by the court is  
14 strongly advised.

15  
16 It is hereby ORDERED that Plaintiff's "Motion for a Final Judgment", Document No. 5,  
17 is hereby STRUCK as untimely. The hearing date of November 4, 2013, is hereby VACATED  
18 and no party shall appear at that time.

19 IT IS SO ORDERED.

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21 Dated: October 30, 2013

  
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SENIOR DISTRICT JUDGE