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

RICHARD M. SANSONE,
Plaintiff,
vs.
J.C. THOMAS,
Defendant.

**Case No. 1:13-cv-01942-DAD-EPG-PC
ORDER STAYING CASE PENDING
ADOPTION OF FINDINGS AND
RECOMMENDATIONS**

Plaintiff Richard M. Sansone is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On June 14, 2016, Defendant filed a Motion for Summary Judgment asserting that Plaintiff had failed to exhaust his administrative remedies before filing suit. (ECF No. 43.) On November 17, 2016, the Court conducted an evidentiary hearing on the issue of administrative exhaustion. The Court issued findings and recommendations recommending that Plaintiff's case be dismissed for a failure to exhaust administrative remedies on December 7, 2016. (ECF No. 83.) Plaintiff was given thirty days to file any objections to the findings and recommendations and the findings and recommendations were referred to District Judge Dale A. Drozd for review.

Plaintiff currently has two motions pending: a discovery motion (ECF No. 56) and a motion to amend his complaint (ECF No. 71). The Court has set a discovery status conference set for January 25, 2017 and the non-expert discovery cutoff date in this case is February 14, 2017. Based on the outcome of the evidentiary hearing and the Court's findings and recommendations, the Court STAYS discovery

1 in this case pending the review of the findings and recommendations by the District Judge. The Court
2 also VACATES the discovery status conference currently set for January 25, 2017 at 2:00 p.m. The
3 status conference and any other currently pending discovery deadlines will be reset, if necessary, after
4 the District Judge issues an order adopting or rejecting the Court's findings and recommendations.

5
6 IT IS SO ORDERED.

7 Dated: December 8, 2016

8 /s/ Eric P. Gray
9 UNITED STATES MAGISTRATE JUDGE