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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONALD YOUNG,
Plaintiff,
v.
C. SISODIA,
Defendant.

Case No. 1:15-cv-00640-LJO-EPG (PC)
ORDER DENYING PLAINTIFF’S MOTION
TO STAY ALL PROCEEDINGS PENDING
APPELLATE REVIEW
(ECF NO. 40)

Ronald Young (“Plaintiff”) is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The case is now proceeding on Plaintiff’s Second Amended Complaint against defendant C. Sisodia. (ECF Nos. 19, 20, & 23). On June 30, 2017, Plaintiff filed a notice of appeal of the denial of his motion for entry of default and motion for default judgment, as well as the denial of his motion for reconsideration. (ECF No. 40). As part of the notice of appeal, Plaintiff requested that the Court stay all proceedings pending appellate review. (Id.).

A district court “has the inherent authority to control its own docket and calendar.” Yong v. I.N.S., 208 F.3d 1116, 1119 (9th Cir. 2000). “[A]s an incident to its power to control its own docket,” a district court has “broad discretion to stay proceedings.” Clinton v. Jones, 520 U.S.

1 681, 706 (1997).

2 In order to appeal a non-final judgment under 28 U.S.C. § 1291, Plaintiff must show that
3 the order he is appealing from “must ‘conclusively determine the disputed question,’ ‘resolve an
4 important issue completely separate from the merits of the action,’ and ‘be effectively
5 unreviewable on appeal from a final judgment.’” Richardson-Merrell, Inc. v. Koller, 472 U.S.
6 424, 431 (1985) (quoting Coopers & Lybrand v. Livesay, 437 U.S. 463, 468 (1978)); Lauro Lines
7 s.r.l. v. Chasser, 490 U.S. 495, 498 (1989).

8 Plaintiff’s motion will be denied. Plaintiff did not provide a reason why the case should
9 be stayed pending appeal, and the Court sees none. Additionally, it does not appear that Plaintiff
10 filed a legitimate interlocutory appeal.

11 Accordingly, based on the foregoing, IT IS ORDERED that Plaintiff’s motion to stay all
12 proceedings pending appellate review is DENIED.

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14 IT IS SO ORDERED.

15 Dated: July 5, 2017

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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