UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RUPERT FLOWERS,	CASE NO. 1:15-cv-01778- MJS (PC)
Plaintiff,	**ORDER DENYING PLAINTIFF'S MOTION TO STAY**
v.	
B. JOHNSON, et al.,	**(ECF NO. 16)**
Defendants.	

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983.[1] This matter proceeds on claims raised in the First Amended Complaint against Defendants Marsh, Martinez, and Johnson. (ECF No. 13.) On March 21, 2016, service was ordered on the Defendants (ECF No. 15), and on April 8, 2016, Waivers of Service were sent for two of the three Defendants (Martinez and Johnson) (ECF No. 17). An answer is due on June 7, 2016.

Now pending is Plaintiff's motion to stay all proceedings and/or for an extension of time. (ECF No. 16.) Plaintiff seeks a 45-60 day stay or continuance of this action due to his recent placement in solitary confinement, rendering it difficult, if not impossible, for him to meet court deadlines.

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[1] Plaintiff has consented to the undersigned's jurisdiction. (ECF No. 6.)

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A district court "has broad discretion to stay proceedings as an incident to its power to control its own docket." Clinton v. Jones, 520 U.S. 681, 706 (1997) (citing Landis v. North American Co., 299 U.S. 248, 254 (1936)). The party seeking the stay bears the burden of establishing the need to stay the action. Clinton, 520 U.S. at 708. Presently, there are no court deadlines that require action on Plaintiff's part necessitating a stay or a continuance.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to stay and/or extension of time (ECF No. 16) is DENIED without prejudice.

IT IS SO ORDERED.

Dated: May 9, 2016   /s/ *Michael J. Seng*
                                  UNITED STATES MAGISTRATE JUDGE