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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARY LEE GAINES,  
Plaintiff,  
v.  
OFFICER BEAVER,  
Defendant.

1:16-cv-01689-LJO-JLT (PC)  
ORDER GRANTING DEFENDANT'S  
MOTION TO STAY PROCEEDINGS  
(Doc. 43)

Defendant Beaver requests that the Court stay the proceedings in this action until the Court rules on its concurrently filed motion for an order requiring Plaintiff to post security pursuant to Local Rule 151(b). (Doc. 43.) According to Local Rule 151(b), “[t]he provisions of Title 3A, part 2, of the California Code of Civil Procedure, relating to vexatious litigants, are ... adopted as a procedural Rule of this Court.” Under Title 3a, when a motion for an order requiring a plaintiff to post security is filed before trial, the litigation is automatically stayed. Cal. Civ. Proc. Code § 391.6. In addition, the moving defendant need not plead until 10 days after the motion is denied or, if granted, until 10 days after the security has been provided. *Id.* Accordingly, Defendant also requests that the Court vacate the deadline to file a responsive pleading to Plaintiff’s complaint.

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Based on the foregoing, the Court ORDERS:

1. Defendant’s motion to stay the proceedings in this case, (Doc. 43), is GRANTED.  
This case is STAYED until the Court rules on Defendant’s motion for an order requiring Plaintiff to post security, (Doc. 42).
2. The deadline for Defendant to file a responsive pleading to Plaintiff’s complaint is VACATED, to be reset, if appropriate.

IT IS SO ORDERED.

Dated: November 12, 2019

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE