UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. GRADFORD, Plaintiff, v. DEPUTY MEJIA, et al., Defendants.	Case No. 1:17-cv-00528-AWI-SAB (PC) ORDER DENYING PLAINTIFF'S MOTION TO STAY CASE FOR SIX MONTHS (ECF No. 8)

Plaintiff William J. Gradford is a detainee appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 23, 2017, Plaintiff filed a motion request a six month "leave of absence" from this litigation. Plaintiff states that there is an investigation into a deputy's wrongful actions against him, and he requires time to obtain counsel to "prove my complete truthfulness" in this action. The Court construes this motion as a motion to stay this action.

"The 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. N. Am. Co., 299 U.S. 248, 254 (1936)). In determining whether to grant a motion to stay, "the competing interests which will be affected by the granting or refusal to grant a stay must be weighed." Lockyer v. Mirant Corp., 398 F.3d 1098, 1110 (9th Cir. 2005).

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Although Plaintiff may prefer to prosecute this action with the assistance of counsel, he has not shown any reason why he is unable to litigate his case at this time. This case concerns limited allegations of two incidents of a detention center's staff opening and reading Plaintiff's mail from the Clerk of the Court, without his permission. Plaintiff has not shown that any further investigation is necessary, or that any delay in this ligation is warranted here. Thus, the Court declines to enter a stay of these proceedings.

Accordingly, it is HEREBY ORDERED that Plaintiff's motion to stay, filed June 23, 2017 (ECF No. 8), is denied.

IT IS SO ORDERED.

Dated: **June 27, 2017**

UNITED STATES MAGISTRATE JUDGE