



1 within fourteen days after service. (ECF No. 36.) Once the objection deadline has expired, the  
2 findings and recommendations will be referred to a District Judge for review.

3 Currently before the Court is Plaintiff's motion for a speedy trial and deadline schedules,  
4 filed November 16, 2020. (ECF No. 37.) Plaintiff argues that he did not have an opportunity to  
5 respond to Defendants' motion to stay the discovery and dispositive motion deadlines in this  
6 action, and he has not waived his rights to a speedy trial in this case. Plaintiff states that the  
7 Court should grant his motion for a speedy trial and deadlines because he has an open criminal  
8 case for resentencing and will have a "severe conflict" trying to attend to the courts without any  
9 documents when he's out for court on resentencing matters, and he has been having severe mental  
10 stress as a CCCMS mental health patient due to the unknown deadlines in this action.<sup>1</sup> (Id.)

11 To the extent Plaintiff is attempting to invoke Sixth Amendment speedy trial rights, such  
12 rights apply to criminal proceedings and not to civil cases, such as this one. See Los Angeles  
13 County Bar Ass'n v. Eu, 979 F.2d 697, 706–07 (9th Cir. 1992); Lietzke v. City of Montgomery,  
14 No. 12CV0135, 2012 WL 2327708, at \*2 (D. Ida. June 19, 2012) (citing 18 U.S.C. § 3161).  
15 Further, Plaintiff's request to set a trial date and further deadlines is premature. There is currently  
16 a pending motion for summary judgment which may dispose of the entire action. The Court  
17 declines to set a trial date or further deadlines until the current dispositive motion is fully  
18 resolved.

19 Accordingly, Plaintiff's motion for a speedy trial and deadline schedules, (ECF No. 37), is  
20 **HEREBY DENIED.**  
21 **IT IS SO ORDERED.**

22 Dated: November 18, 2020

23 /s/ Barbara A. McAuliffe  
24 UNITED STATES MAGISTRATE JUDGE

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26  
27 <sup>1</sup> The Court notes that Plaintiff's motion was served on November 10, 2020, and it appears he has not yet received  
28 the Court's November 9, 2020 findings and recommendations. (ECF No. 37, p. 6.) To the extent Plaintiff believes  
he will be unable to file objections to the findings and recommendations before the current deadline, Plaintiff should  
file a motion for an extension of the objection deadline which presents good cause for the request.