

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MADY CHAN,

Plaintiff,

No. CIV S-09-2006 MCE GGH P

vs.

COUNTY OF SACRAMENTO, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____ /

Plaintiff is a prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. On February 3, 2012, plaintiff filed an interlocutory appeal concerning the denial of his motion for injunctive relief. A dispositive motion deadline had been set for January 26, 2012, and defendants have moved to vacate that date until the appeal has been resolved. Because the merits of the appeal duplicate, for the most part, the merits of the case, at least with respect to the dental claim, the undersigned will recommend that this action be stayed and administratively closed pending the appeal. The parties shall notify the court within 14 days of the appeal being resolved.

Accordingly, IT IS HEREBY RECOMMENDED that this action be stayed and this case administratively closed. The parties shall notify the court within 14 days of the appeal being resolved.

