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

ANTHONY AMMONS,

Plaintiff,

No. CIV S-10-0544 KJM DAD P

vs.

C. BAKEWELL, et al.,

Defendants.

ORDER

_____ /

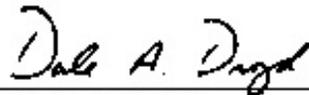
Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983.

On June 9, 2011, the undersigned issued findings and recommendations, recommending that the assigned district judge grant defendant Bakewell’s motion for summary judgment. The undersigned also denied plaintiff’s motion for reconsideration of its order striking plaintiff’s motion for summary judgment as having been untimely filed. Since then, plaintiff has filed two requests for extensions of time to file objections to the pending findings and recommendations , which the undersigned has granted. Plaintiff has also filed an interlocutory appeal of the court’s order striking his motion for summary judgment as untimely. Now pending before the court is plaintiff’s motion to stay this action until the Ninth Circuit resolves his interlocutory appeal. Defendant Bakewell has opposed the motion.

1 A district court has the inherent authority to control its own docket and calendar.
2 Yong v. I.N.S., 208 F.3d 1116, 1119 (9th Cir. 2000). In general, the court has discretion to stay
3 proceedings. Id. In this case, plaintiff has not offered any compelling reason to stay this action.
4 See Hansen v. Schubert, 459 F. Supp. 2d 973, 999 (E.D. Cal. 2006) (“The general rule is that an
5 appellate court should not review a district court ruling until after entry of a final judgment.”).
6 As defense counsel observes, if the assigned district judge adopts the findings and
7 recommendations in full, plaintiff may appeal the district court’s order as well as any other
8 appealable issues in this case at that time.

9 Accordingly, IT IS HEREBY ORDERED that plaintiff’s motion for a stay (Doc.
10 No. 49) is denied.

11 DATED: August 10, 2011.

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14 _____
15 DALE A. DROZD
16 UNITED STATES MAGISTRATE JUDGE

14 DAD:9
15 ammo0544.styd