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

WILLIAM BARKER,

Plaintiff,

No. CIV S-11-0246 LKK GGH P

vs.

R. YASSINE,

Defendant.

ORDER

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Plaintiff, a state prisoner proceeding pro se, proceeds with a civil rights action. On July 27, 2011, defendant filed a motion to dismiss certain claims from this action. Plaintiff has not responded to the motion to dismiss. Instead plaintiff has filed a motion to stay (Doc. 34). Plaintiff seeks to stay the motion to dismiss and his deposition as the district judge assigned to this case is currently reconsidering the undersigned’s denial of plaintiff’s motion to appoint counsel. Docs. 24, 30. However, the issues in this case are not complicated—plaintiff alleges an incident of excessive force which do not involve the need for expert testimony. And despite plaintiff’s description of his inability to proceed with this lawsuit, the organization and structure of the complaint say otherwise. It does not appear that plaintiff will be appointed counsel and if counsel is appointed, plaintiff can file an amended opposition to the motion to dismiss. Therefore,

