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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENRY A. JONES,
Plaintiff,
v.
P. KUPPINGER, et al.,
Defendants.

No. 2:13-cv-0451 WBS AC P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. Defendants’ motion for summary judgment, which was fully briefed as of October 6, 2016, is under submission. Plaintiff has filed a motion for a “writ of mandate,” ECF No. 108, relying on state law to seek an immediate decision on the pending summary judgment motion. Plaintiff states that he “has suffered extensive delay. Said delay has now cause[d] hardship requiring an answer for petitioner if necessary, to obtain further review from a higher court if necessary.” Id. at 1-2.

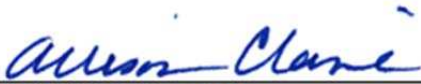
This court will render a decision on the pending motion for summary judgment in the order that it was filed and fully briefed, in relation to other cases with pending motions for summary judgment. There is no authority, under state or federal law, for a party to direct a court to issue an immediate decision. Plaintiff is also reminded of the fact that the Eastern District of California maintains one of the heaviest caseloads in the nation, a significant portion of which is

1 comprised of pro se inmate cases such as this one. While the court understands plaintiff's desire
2 to have this matter resolved expeditiously, these demands on the court often result in unavoidable
3 delays in the resolution of individual matters.

4 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for a writ of mandate,
5 ECF No. 108, is denied with prejudice.

6 DATED: April 13, 2017.

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ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE