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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TAMME SHINSHURI,  
  
Plaintiff,  
  
v.  
  
CALIFORNIA PHYSICIANS'  
SERVICES,  
  
Defendant.

No. 2:18-cv-03143 TLN CKD (PS)

ORDER

Plaintiff is proceeding in this action pro se and in forma pauperis. Before the court is plaintiff's motion claiming that defendant failed to follow the August 2, 2019 order issued by the district judge in this action. (ECF No. 24.) That order administratively stayed this case pending state court proceedings in a similar case and directed defendant to inform the court "within thirty (30) days after final resolution of the state court case[.]" (ECF No. 23 at 2.)

Plaintiff contends that the state case ended on July 12, 2023 "following the denial of the petition for review in the California Supreme Court." (ECF No. 24 at 2.) She asks for the stay in this action to be lifted, and alternatively, for default judgment against defendant for failing to timely inform the court of the state case's resolution. (ECF No. 24 at 16.)

In opposition, defendant points out that, as of October 18, 2023, the state action was still pending because plaintiff had a motion set to be heard on October 31, 2023, which was

1 subsequently taken off calendar. (ECF No. 29 at 8.) Defendant asserts it will file the required  
2 status report in this federal action within the thirty-day window after final resolution of the state  
3 case, i.e., in November 2023, along with a motion to dismiss this action. (Id.)

4 Meanwhile, the stay has been lifted in this case to address plaintiff's recent motion. (ECF  
5 No. 31.) Insofar as plaintiff seeks any other relief based on defendant's alleged failure to follow  
6 the August 2, 2019 order, her motion is premature and will be denied.

7 Accordingly, IT IS HEREBY ORDERED THAT plaintiff's motion to proceed or  
8 alternatively for default judgment (ECF No. 24) is DENIED as premature.

9 Dated: November 15, 2023



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11 CAROLYN K. DELANEY  
12 UNITED STATES MAGISTRATE JUDGE

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