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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN GREGORY WILLIAMS,

Plaintiff,

v.

USHA PANEMANGALOR PAI, et al.,

Defendants.

No. 2:19-cv-1591 DAD AC P

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Before this court is defendant’s notice regarding plaintiff’s concurrent state court litigation and request to lift the stay in this action. ECF No. 33. For the reasons stated below, the motion will be granted. Defendant will also be directed to file a response to plaintiff’s complaint.

On January 24, 2022, the district court judge previously assigned to this action adopted the undersigned’s findings and recommendations and stayed this action, pending plaintiff’s resolution of his state court action, Williams v. Pai, Case No. FCM168941 (Solano County Superior Court). ECF Nos. 26, 27. One month later, the undersigned ordered defendant to file

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1 quarterly reports which informed the court of the status of the parties' state court proceeding.
2 ECF No. 28. At that time, defendant was also ordered to notify it when the state court's judgment
3 became final and to do so within fourteen days of that disposition. Id.

4 On September 1, 2022, the defendant filed the instant notice and request. ECF No. 33.
5 The filing informs the court that on August 18, 2022, plaintiff opted to dismiss his state court
6 complaint without prejudice so that he could proceed with the instant action. Id. at 1-2, 5.
7 Consequently, defendant requests that the stay be lifted. Good cause appearing, defendant's
8 motion will be granted, and she will be directed to file a response to plaintiff's complaint.

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. Defendant's motion to lift the court's stay imposed on January 24, 2022 (ECF No. 33),
11 is GRANTED, and

12 2. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(i), within twenty-one days of
13 the date of this order, defendant must file a response to plaintiff's complaint.

14 DATED: September 16, 2022

15 /s/ ALLISON CLAIRE
16 ALLISON CLAIRE
17 UNITED STATES MAGISTRATE JUDGE
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