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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GREG HAYES,

No. C-11-1702 EMC

Plaintiff,

v.

**ORDER DENYING PLAINTIFF'S
REQUEST FOR HEARING ON
PLAINTIFF'S MOTION FOR LEAVE
TO AMEND**MUSA DAJANI, *et al.*,

Defendants.

(Docket No. 57)

The Court has stayed this case until at least March 9, 2012, when the next case management conference is to take place. The stay is based in large part on Mr. Hayes being confined at the Napa State Hospital. *See* Docket No. 53 (order). The same day that the Court issued the stay, Mr. Hayes filed a motion asking for leave to amend his complaint. *See* Docket No. 54 (motion). The Court subsequently clarified through a Clerk's Notice that Mr. Hayes's motion would be deferred in light of the stay. Mr. Hayes now asks the Court to proceed with his motion in spite of the stay.

The Court hereby **DENIES** Mr. Hayes's request. The Court has afforded Mr. Hayes the benefit of a stay because of his circumstances. It is not equitable to permit Mr. Hayes to litigate this case in spite of the stay but deny Defendants the opportunity to do the same. Moreover, Mr. Hayes has not established why it is necessary to proceed with his motion at this time. There is no indication that he would be unduly or irreparably prejudiced by having his motion deferred for several months.


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Finally, to the extent Mr. Hayes is asking the Court or the Clerk of the Court for a copy of his own motion for leave to amend, this request is also **DENIED** without prejudice. The Court has previously informed Mr. Hayes that he provide payment for the cost of copying before any copies can be provided to him. *See* Docket No. 49 (Order at 2). There is no “case account” that can be “charged.”

This order disposes of Docket No. 57.

IT IS SO ORDERED.

Dated: January 23, 2012


EDWARD M. CHEN
United States District Judge