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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN L. DAVIS,
Plaintiff,
v.
GREG SUHR, et al.,
Defendants.

Case No. [16-cv-04487-JD](#)


ORDER

Re: Dkt. No. 28

Plaintiff, a detainee, filed a pro se civil rights complaint under 42 U.S.C. § 1983. Plaintiff raised claims with respect to his arrest and detention in county jail. The case was stayed at plaintiff's request pursuant to *Wallace v. Kato*, 549 U.S. 384, 393 (2007) and *Heck v. Humphrey*, 512 U.S. 477, 486-487 (1994), because the criminal charges related to the arrest were still pending. Plaintiff has filed a motion to lift the stay but has not addressed the status of the charges against him and why he is still in custody in the county jail. He has not described if he was acquitted, convicted, or the charges were dismissed and when this occurred. The Court needs this information to determine whether to lift the stay. Consequently, motion to lift the stay (Docket No. 28) is **DISMISSED** without prejudice. Plaintiff may file an amended motion to lift the stay within **twenty-eight (28) days** of service of this order.

IT IS SO ORDERED.

Dated: June 4, 2019



JAMES DONATO
United States District Judge

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 JOHN L. DAVIS,
4 Plaintiff,

5 v.

6 GREG SUHR, et al.,
7 Defendants.
8

Case No. [16-cv-04487-JD](#)

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
10 District Court, Northern District of California.

11
12 That on June 4, 2019, I SERVED a true and correct copy(ies) of the attached, by placing
13 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
14 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
15 receptacle located in the Clerk's office.
16

17 John L. Davis
18 16664426
19 850 Bryant Street
20 San Francisco, CA 94103

21 Dated: June 4, 2019

22
23 Susan Y. Soong
24 Clerk, United States District Court

25
26 By: 
27 LISA R. CLARK, Deputy Clerk to the
28 Honorable JAMES DONATO