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United States District Court  
Northern District of California

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**JOSEPH ALEJANDRO ORTEGA,**  
**Plaintiff,**  
**vs.**  
**KURT RODENSPIEL *et al.*,**  
**Defendants.**

**Case No.: 10-CV-03239 YGR**  
**ORDER STAYING CASE PENDING**  
**RESOLUTION OF CRIMINAL APPEAL**

The Court finds that arguments raised in Defendants’ motion for summary judgment rely upon the finality of Plaintiff’s conviction for assault with a deadly weapon. *See Heck v. Humphrey*, 512 U.S. 477 (1994).

Accordingly, this action is **STAYED** pending resolution of the state appellate review of Plaintiff’s conviction.

All trial and pretrial dates are **VACATED**.

Within thirty days of the completion of state appellate review, the parties shall file a joint status report and request the case be scheduled for a case management conference.

**IT IS SO ORDERED.**

Dated: August 3, 2012

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**