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UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

KAYLE HOWARD,

No. C 10-05655 LB

Plaintiff(s),

**ORDER DENYING AS MOOT
PLAINTIFF'S MOTIONS TO STAY
CASE**

v.

MICHAEL DALISAY, et al.,

[ECF Nos. 60, 62]

Defendant(s).

Pro se plaintiff Kayle Howard sued local police officers and county sheriffs in this lawsuit for false imprisonment and false arrest in relation to a state court criminal action, all in violation of 42 U.S.C. § 1983 and state law. Complaint, ECF No. 1 at 2, ¶¶ 6-7.¹ On April 19, 2011, upon Defendants' motion, the court stayed this lawsuit pending the outcome of those criminal charges. ECF No. 58.

Ms. Howard's criminal trial, which had been slated to begin on August 15, 2011, was continued to September 12, 2011, and then to November 14, 2011. ECF Nos. 60, 61. After each continuance, Ms. Howard moved to stay this case. ECF Nos. 60, 62. The court has already stayed this lawsuit until an outcome is reached in her criminal trial. Ms. Howard need not move to stay this lawsuit each time the criminal trial date is continued. Accordingly, her motions are DENIED AS MOOT.

¹ Citations are to the Electronic Case File ("ECF") with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

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The parties shall file a joint status update about the status of Howard's pending criminal case no later than November 21, 2011.

This disposes of ECF Nos. 60 and 62.

IT IS SO ORDERED.

Dated: September 13, 2011



LAUREL BEELER
United States Magistrate Judge