

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02328-WYD-KLM

WELLMAN GIBSON,

Plaintiff,

v.

ARISTEDES W. ZAVARAS, et al.,  
SGT. VERENA PACHECO, and  
WARDEN HARTLEY,

Defendants.

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**ORDER STAYING CASE**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Motion Requesting Order to Allow Plaintiff the Use of a Typewriter** [Docket No. 144; Filed February 18, 2011] (the "Motion for Typewriter"), **Motion Requesting Stay of Proceedings** [Docket No. 146; Filed March 4, 2011] (the "Motion for Stay"), and **Motion Requesting Extension** [Docket No. 148; Filed March 8, 2011] (the "Motion for Extension"). On March 25, 2011, the Court was notified that Plaintiff will be undergoing right carpal tunnel release surgery. See *Gibson v. Campbell, et al.*, No. 09-cv-00983-WYD-KLM, Docket No. 192 (D. Colo. filed March 25, 2011) (Defendants' Response to Plaintiff's Motion for Reconsideration). Plaintiff's recovery time is expected to be twelve weeks. *Id.* While Plaintiff is recovering from surgery on his dominant hand, it is reasonable to expect that he will have difficulty prosecuting his case. Plaintiff is incarcerated and proceeding *pro se*, and his recent pleadings, including the

instant Motions, have been handwritten. Due to Plaintiff's surgery, the Court has already stayed his other pending case, No. 09-cv-00983-WYD-KLM, until August 1, 2011. See *Gibson v. Campbell, et al.*, No. 09-cv-00983-WYD-KLM, Docket No. 195 (D. Colo. March 30, 2011) (Order Staying Case) Accordingly,

IT IS HEREBY **ORDERED** that the Motion for Stay [#146] is **GRANTED**.

IT IS FURTHER **ORDERED** that all proceedings in this case are **STAYED** until **August 1, 2011**.

IT IS FURTHER **ORDERED** that during the stay, neither party shall file pleadings with the Court, except under extraordinary circumstances or at the Court's direction.

IT IS FURTHER **ORDERED** that any party may request a status conference upon conclusion of the stay.

The Court finds it most efficient to resolve all other pending motions that have been referred before the stay of this case begins. Accordingly,

IT IS FURTHER **ORDERED** that the Motion for Typewriter [#144] is **DENIED without prejudice**. If Plaintiff still believes he needs access to a typewriter after his surgery, he may file a new motion upon conclusion of the stay.

IT IS FURTHER **ORDERED** that the Motion for Summary Judgment [Docket No. 139] filed by Defendant Pacheco is **DENIED without prejudice**. Defendant Pacheco may re-file a motion for summary judgment upon conclusion of the stay.

IT IS FURTHER **ORDERED** that the deadline for filing dispositive motions is extended to **October 1, 2011**. No dispositive motions may be filed during the stay. Any dispositive motion that is filed during the stay will be stricken.

Because the Motion for Summary Judgment [#139] has been denied without prejudice, Plaintiff does not need an extension of time to respond to it. Accordingly,

IT IS FURTHER **ORDERED** that the Motion for Extension [#148] is **DENIED as moot.**

Dated: April 4, 2011

BY THE COURT:

s/ Kristen L. Mix  
Kristen L. Mix  
United States Magistrate Judge