

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-01504-BNB

MIKEAL GLENN STINE,

Plaintiff,

v.

UNITED STATES FEDERAL BUREAU OF PRISONS,  
DAVID ALLRED,  
CHRISTOPHER WILSON,  
ROGERS,  
BLAKE DAVIS,  
MUNSON,  
LEWIS T. BABCOCK,  
WILEY Y. DANIEL,  
KRISTEN L. MIX,  
CRAIG B. SHAFFER,  
BOYD N. BOLAND,  
ZITA L. WEINSHIENK,  
PHILIP A. BRIMMER,  
AMY L. PADDEN,  
J. BENEDICT GARCIA,  
MARCIA S. KRIEGER,  
RICHARD P. MATSCH,  
JOHN L. KANE,  
WALKER D. MILLER,  
CHRISTINE M. ARGUELLO,  
MICHAEL J. WATANABE,  
KATHLEEN M. TAFOYA,  
DAVID L. WEST,  
GUDRUN J. RICE,  
MR. SHOCKY, Corr. Officer, ADX,  
MR. A. OSAGIE, Physicians Assistant, ADX, and  
ROBERT E. BLACKBURN,

Defendants.

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ORDER TO STAY PROCEEDINGS

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Plaintiff, Mikeal Glenn Stine, has submitted a *pro se* Petition seeking leave to file a complaint. Mr. Stine is subject to filing restrictions as set forth in *Stine v. Lappin, et*

*al.*, No. 07-cv-01839-WYD-KLM, Doc. No. 344 at 30-32 (D. Colo. Sept. 1, 2009). Most recently, Mr. Stine filed a separate request to file a *pro se* complaint that raised the same claims he raises in this action. See *Stine v. Fed. Bureau of Prisons, et al.*, No. 12-cv-01234-REB (D. Colo. May 29, 2012). District Judge Robert Blackburn denied Mr. Stine's petition to proceed in Case No. 12-cv-01234-REB, and Mr. Stine appealed the denial. *Id.*, *appeal filed*, No. 12-1236 (10th Cir. June 8, 2012). Case No. 12-cv-01234-REB is pending on appeal in the United States Court of Appeals for the Tenth Circuit.

In the event Mr. Stine elects to pay the filing fee on appeal and the court of appeals reverses the denial of Mr. Stine's prior action, he would have two separate actions pending in this court raising the same claims. In these circumstances, the Court finds that a stay is necessary to avoid the possibility of confusion and duplicative efforts. "[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. North American Co.*, 299 U.S. 248, 254 (1936). Therefore, the Court will stay the proceedings in the instant action pending the resolution of Mr. Stine's appeal in Case No. 12-cv-01234-REB. Accordingly, it is

ORDERED that the proceedings in the instant action are stayed pending resolution of Mr. Stine's appeal of the dismissal of Case No.12-cv-01234-REB.

DATED July 25, 2012, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge