

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 16-cv-00489-MSK-NYW

JAMES RALPH DAWSON, JR.,

Plaintiff,

v.

JEFF ARCHABEAU, the CEO of Colorado Health Partners,
C. IRELEND, FCF Health Providers,
T. SICOTTE,
R. FRICKEY, and
R. HAVENS,

Defendants.

MINUTE ORDER

Entered By Magistrate Judge Nina Y. Wang

This civil action comes before the court on Defendant Robert Frickey's Motion to Stay Discovery ("Motion to Stay"). [#28, filed May 1, 2016]. The matter was referred to this Magistrate Judge pursuant to the Order Referring Case dated March 4, 2016 [#6] and memorandum dated May 3, 2016 [#28].

Mr. Dawson, a *pro se* prisoner incarcerated at the Fremont Correctional Facility in Canon City, Colorado, filed this lawsuit on February 25, 2016, pursuant to 42 U.S.C. § 1983 and 28 U.S.C. § 1343, asserting multiple constitutional violations arising from Defendants' failure to provide him with certain medication used to treat Hepatitis C. [#1]. On March 1, 2016, the court granted Plaintiff leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. [#4]. In the Motion to Stay, Defendant Frickey asks that the court vacate the May 11, 2016 Status Conference and stay discovery pending resolution of his Motion to Dismiss [#27], which asserts qualified immunity and, if granted, would dispose of the action as to Defendant Frickey. Defendant Archabeau, the only other named Defendant who has been served in this matter, does not oppose the Motion to Stay. Defendant Frickey has also filed a Motion to Reconsider the Order granting Plaintiff leave to proceed *in forma pauperis* ("Motion for Reconsideration"). *See* [#29].

IT IS ORDERED:

1. The Motion to Stay [#28] is **GRANTED IN PART** and **DENIED IN PART**;
2. The Status Conference set for May 11, 2016 is **VACATED**, to be reset by further court order for a time at which this court will consider whether staying discovery as to Defendant Frickey is appropriate; and
3. Plaintiff shall file a Response to Defendant Frickey's Motion to Dismiss [#27] and Defendant Frickey's Motion for Reconsideration [#29] on or before **June 1, 2016**.

DATED: May 4, 2016