

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

JOSHUA CAIN GEORGE

CIVIL ACTION

VERSUS

NO. 07-986

WARDEN JEFFREY TRAVIS, ET AL.

SECTION: "R" (1)

ORDER

Plaintiff has filed a motion to have these proceedings stayed until he exhausts his administrative remedies on ARP RCC-2006-749. Rec. Doc. 5. That motion is **DENIED**. Federal law requires that a prisoner exhaust his administrative remedies *prior* to the filing of a lawsuit; exhaustion of such remedies while the lawsuit is pending is insufficient. Underwood v. Wilson, 151 F.3d 292, 296 (5th Cir. 1998). Accordingly, it is not appropriate for a federal court to stay a lawsuit while a prisoner attempts to exhaust his administrative remedies. Seaton v. Sylvestor, No. 99-20035, 2000 WL 960504 (5th Cir. June 15, 2000); Johnson v. Kerryville, No. 5:06cv274, 2007 WL 418765 (E.D. Tex. Feb. 5, 2007).

New Orleans, Louisiana, this twenty-sixth day of February, 2007.



**SALLY SHUSHAN
UNITED STATES MAGISTRATE JUDGE**