UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRISTOPHER GARDNER,

Plaintiffs,

vs.

ALFRED LECHTER,

Defendant.

Case No. 2:12-cv-00488-KJD-NJK

ORDER DENYING MOTION TO STAY

(Docket No. 44)

Pending before the Court is the Plaintiff's motion to stay proceedings for roughly four months. Docket No. 44. The motion is hereby DENIED. As an initial matter, the Court has already instructed Plaintiff that a request to stay proceedings must be filed as a "proper motion." Docket No. 42. Plaintiff's "motion" fails to cite any legal authority whatsoever supporting his request, so it is not a proper motion. *See* Local Rule 7-2(d) ("The failure of a moving party to file points and authorities in support of the motion shall constitute a consent to the denial of the motion.")

Even considering Plaintiff's arguments, however, the Court finds that they are without merit. Plaintiff seeks a stay of this case until March 1, 2014 to enable him to pay for an attorney. *See* Docket No. 44 at 2. First, Plaintiff has already had at least two months to make arrangements to retain new counsel. *See* Docket No. 33 (motion to withdraw, filed on September 6, 2013). The Court is not persuaded that an additional four months is needed to do so. Second, this case is already stayed pending resolution of the parties' case in the Nevada Supreme Court. *See* Docket No. 29 (granting motion to stay); Docket No. 31 (granting motion to extend time to respond to complaint and indicating that "[t]he stay remains in place pursuant to the magistrate judge's order"); *see also* Docket No. 35 (joint status report indicating that petition for rehearing en banc remains pending in the Nevada Supreme Court). At this time, Plaintiff's request appears moot.

Accordingly, for the reasons more fully discussed above, Plaintiff's motion to stay proceedings until March 1, 2014 is hereby **DENIED**.

IT IS SO ORDERED.

DATED: November 6, 2013

NANCY J. KOPPE
United States Magistrate Judge