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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RICHARD W. PETERS, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 C/O RAYMOND, *et al.*, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

3:15-cv-00493-RCJ-WGC

**ORDER**  
**Re: ECF Nos. 50, 51**

Before the court are Plaintiff’s two motions, one to stay this case (ECF No. 50) and another seeking a court order requesting a physical and mental examination pursuant to Fed. R. Civ. P. 35 (ECF No. 51). Both are predicated upon Plaintiff’s assertions that his mental and physical limitations restrict or impede his ability to prosecute this case. While Plaintiff’s motions were apparently signed by inmate Peters, the only documentation regarding Plaintiff’s mental status was an affidavit of inmate Will Lyons, presumably an inmate assistant, who represents Plaintiff appears “confused.” Inmate Lyons apparently dictated the two motions to inmate Peters. (ECF No. 50 at 3.) Plaintiff has submitted no medical or mental health records regarding his conditions.

While Rule 35 allows a court to direct a party to submit to a mental or physical examination, such an order may be made upon motion demonstrating good cause. In addition to good cause, however, the motion “must specify the time, place, manner, conditions and scope of the examination, as well as the person who will perform it.” Fed. R. Civ. P. 35 (a)(2). Plaintiff’s motion discusses none of these criteria. Nor does Plaintiff’s motion state who should pay for the examination, which is typically borne by the movant.

