

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ERIK KHAN,**

**Plaintiff,**

**v.**

**No. 15-cv-1151 MV/SMV**

**CHRIS BARELA, et al.,**

**Defendants.**

**ORDER DENYING MOTIONS TO STAY PROCEEDINGS AS MOOT**

THIS MATTER is before the Court on Plaintiff Erik Khan's Motion to Stay Proceedings [Doc. 71], letter motion to stay proceedings [Doc. 72], Motion to Continue Stay [Doc. 73], and Motion to Lift Stay and Resume Proceedings [Doc. 74]. The Court will deny Khan's Motions as moot.

In his Motions to stay proceedings, Khan sought a stay to allow him to complete transfers within the Bureau of Prisons and between federal and Arizona state custody. During this period of time, Khan's address has changed several times, mail has been returned to the Court as undeliverable, and Mr. Khan's address has been updated twice on notice from Mr. Khan, and three times, *sua sponte*, by the Court. *See* [Docs. 58, 59, 60, 61, 62, 63, 65, 66, 68, and 75]. In his Motion to Lift Stay and Resume Proceedings [Doc. 74], Khan has advised the Court that his transfers and time in state custody have been completed, and he has updated his Bureau of Prisons address. Therefore, Khan's requests for a stay of proceedings and to lift any stay are now moot. Plaintiff Khan is reminded of his continuing obligation to advise the Court of

changes in his address as required by D.N.M.LR-Civ. 83.6 and notified that the Court will not further stay these proceedings during facility or custody transfers. *See Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980).

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Plaintiff Erik Khan's Motion to Stay Proceedings [Doc. 71], letter motion to stay proceedings [Doc. 72], Motion to Continue Stay [Doc. 73], and Motion to Lift Stay and Resume Proceedings [Doc. 74] are **DENIED** as moot.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
United States Magistrate Judge