UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL LATOURETTE,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF CORRECTIONS et al.,

Defendants.

CASE NO. C12-564 BHS-JRC

ORDER DENYING PLAINTIFF'S MOTION TO STAY THIS ACTION

The District Court has referred this 42 U.S.C. §1983 civil rights action to the undersigned Magistrate Judge. The Court's authority for the referral is found in 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1, MJR 3, and MJR 4.

Plaintiff asks that the Court stay this action until after August 18, 2013, when plaintiff alleges that he will be released from incarceration (ECF No. 32). Plaintiff alleges that he was assaulted and injured by another inmate and that Corrections Officers who are named defendants knew the other inmate was a threat (ECF No. 12). Plaintiff alleges that defendants did not intervene to protect him even though the assault lasted several minutes (ECF No. 12).

The Court entered a scheduling order in this case in June of 2012 (ECF No. 19). The Court extended those deadlines in December of 2012 at defendants' request (ECF No. 31). In total the parties have had over seven months to conduct discovery. Plaintiff now contends that he cannot take "any of the steps necessary to prepare or prosecute his case." (ECF No. 32). Plaintiff has not placed before the Court any discovery he has served on defendants or any responses or objections they have made. Plaintiff fails to show the Court what steps he has attempted to take or what discovery he has engaged in. Further, plaintiff has made no showing who he wants to depose or what information he believes these potential persons may have. Plaintiff fails to show that there is good cause to stay this action. Discovery in this case closed on January 18, 2013. Plaintiff filed this motion only two days before the discovery cutoff date. The time period for conducting discovery in this case is now over.

Plaintiff has not shown cause to delay dispositive motions in this case. The motion to stay this action is denied.

Dated this 8th day of February, 2013.

J. Richard Creatura
United States Magistrate Judge