

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 DAMIEN HARRIS,

9 Plaintiff,

10 v.

11 STATE OF WASHINGTON, ROB
12 MCKENNA, BERNARD WARNER,
13 MICHAEL BOONE, SCOTT JACKSON,
14 THURSTON COUNTY, THURSTON
15 COUNTY NARCOTICS TASK FORCE,
16 CITY OF LACEY, DUSTY PIERPOINT,
17 KENNETH LUNDQUIST, LACEY
18 POLICE DEPARTMENT, LORELI
19 THOMPSON,

20 Defendants.

CASE NO. C12-6008 RBL/KLS

ORDER GRANTING MOTIONS TO
AMEND AND TO STAY CASE

21 On November 26, 2012, Defendants removed this case from Thurston County Superior
22 Court. ECF No. 1. Defendants have filed their Answers to Plaintiff's Complaint. ECF Nos. 7,
23 12, and 13. Presently before the Court are Plaintiff's motions to stay and to amend his
24 complaint. ECF Nos. 11 and 15.

In his motion to amend, Plaintiff asks leave to limit his complaint to Defendants Scott
Jackson, Michael Boone, Kenneth Linquist, and Loreli Thompson and to clarify his allegations
against these Defendants. ECF No. 15. Defendants are not opposed to this motion. ECF No. 16.

In his motion to stay, Plaintiff asks that this Court stay all proceedings in this action
pending a decision by the Washington State Court of Appeals on his personal restraint petition

ORDER GRANTING MOTIONS TO AMEND AND
TO STAY CASE- 1

1 filed on April 30, 2012. Plaintiff states that a decision from the state court on the issues of
2 search warrants and other allegations must be decided prior to proceeding in his civil action.
3 ECF No. 11, p. 3. Plaintiff states that he filed his complaint in Thurston County Superior Court
4 prior to the conclusion of his personal restraint proceedings to comply with the three year statute
5 of limitations. *Id.*, p. 4. He also filed a motion to stay in the Thurston County Superior Court
6 action but it was not adjudicated prior to Defendants' removal of the case to this Court. *Id.*, pp.
7 2-3. Defendants do not oppose the stay, but ask that the stay include all pending discovery
8 requests. ECF No. 16, pp. 1-2.

9 Accordingly, it is **ORDERED**:

10 (1) Plaintiff's motion to amend (ECF No. 15) is **GRANTED**. The Clerk is directed
11 to file Plaintiff's proposed amended complaint (ECF No. 15-1) as his amended complaint.

12 (2) Plaintiff's motion to stay (ECF No. 11) is **GRANTED**. This case is **STAYED**
13 **including all pending discovery. Responses to all pending discovery requests shall be due**
14 **within thirty (30) days after the Court issues an order lifting this stay.**

15 (3) The Clerk shall send copies of this Order to Plaintiff and counsel for Defendants.
16

17 **DATED** this 27th day of February, 2013.
18

19 

20 Karen L. Strombom
21 United States Magistrate Judge
22
23
24