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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 RONALD J. BIANCHI,

7 Plaintiff,

8 v.

9 DEPARTMENT OF CORRECTIONS, et  
al,

10 Defendants.

Case No. 3:16-cv-05390-BHS-TLF

ORDER DENYING DEFENDANTS'  
MOTION TO SHOW CAUSE

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12 This matter comes before the Court on defendants' motion to show cause why this matter  
13 should not be stayed pending resolution of certain criminal proceedings concerning plaintiff in  
14 Clark County, Washington. Dkt. 32. In addition to the stay, defendants further request that  
15 plaintiff, who is not currently in DOC custody, file a status report if he has not been transferred  
16 back to DOC custody within 90 days of the filing of their motion. *Id.* at p. 1.

17 On February 22, 2017, the Washington State Court of Appeals granted a state personal  
18 restraint petition plaintiff filed, vacating three of his criminal convictions. Dkt. 33, Exhibit 1. The  
19 Court of Appeals issued its mandate on August 9, 2017. *Id.*, Exhibit 3. On August 17, 2017, the  
20 Clark County Superior Court issued an order transferring plaintiff to the Clark County Jail "for  
21 withdrawal of guilty plea and resentencing pursuant to" the mandate. *Id.*, Exhibit 4. On August  
22 21, 2017, plaintiff filed a notice of change of address, advising the Court that he was going to be  
23 transferred to the Clark County Jail. Dkt. 31.

24 Defendants argue a stay is appropriate here, because it is unknown how long plaintiff will

