

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Daniels v. Aponte

Daniels · No. 21-cv-03794-RMI · Decided March 12, 2025

SUMMARY

The United States District Court for the Northern District of California grants plaintiff's request for an extension to seek lifting of a stay in his civil rights action. The case had been stayed under Wallace v. Kato because related criminal charges were pending. The court permits plaintiff to file a motion to lift the stay within 56 days and requires him to explain how the criminal case ended.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Robert M. Illman
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 12, 2025
DOCKET	21-cv-03794-RMI
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se civil-rights complaint under 42 U.S.C. § 1983. The action had been stayed while related criminal charges were pending, and plaintiff requested an extension to seek lifting of the stay after informing the court that the criminal case had ended.
PRECEDENTIAL VALUE	Unknown; interlocutory district-court order.

TOPICS

- civil procedure
- section 1983
- civil rights
- police misconduct
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights

QUESTIONS PRESENTED

- Whether plaintiff should be granted additional time to seek lifting of the stay after the related criminal case ended.

HOLDINGS

1. The court granted plaintiff's request and allowed him fifty-six days to file a motion to lift the stay addressing how the related criminal case ended.

KEY QUOTATIONS

“Within fifty-six days, plaintiff may file a motion to lift the stay that also discusses how his criminal ended.”
(at 1)

FACTUAL BACKGROUND

Plaintiff, a former detainee proceeding pro se, alleged that police improperly arrested him and used excessive force. Related criminal charges were pending against him concerning the same incident. The court stayed the civil action because the claims could affect the validity of the criminal proceedings and because damages could not be pursued until the criminal matter ended favorably or a conviction was reversed. Plaintiff later informed the court that the criminal case had ended.

PROCEDURAL HISTORY

The court previously stayed the § 1983 action under *Wallace v. Kato* because criminal charges related to the underlying incident were pending. Plaintiff submitted a letter stating that the criminal case was over and sought an extension to lift the stay. The court granted the request and authorized plaintiff to file, within fifty-six days, a motion to lift the stay addressing the disposition of the criminal case.

DISPOSITION

other

CASES CITED

- *Wallace v. Kato*, 549 U.S. 384, 393 (2007)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
JEREMY DANIELS, Case No. 21-cv-03794-RMI 8 Plaintiff, ORDER 9 v. 10 STEVEN
APONTE, et al., 11 Defendants. 12 13 Plaintiff, a former detainee proceeding pro se, filed a civil
rights complaint under 42 14 || U.S.C. § 1983, alleging that he was improperly arrested and subject
to excessive force by police.

3 15 This case was stayed pursuant to *Wallace v. Kato*, 549 U.S. 384, 393 (2007), because criminal
a 16 || charges were pending against plaintiff related to the underlying incident. Plaintiff could not
obtain 3 17 || money damages related to this incident until the criminal case had ended in his favor
or if he was 18 || convicted and the conviction was reversed.

19 Plaintiff has filed a letter indicating that his criminal case is over and he seeks an extension 20 ||
to lift the stay. Plaintiff's request is granted. Within fifty-six days, plaintiff may file a motion to 21
|| lift the stay that also discusses how his criminal ended. He should indicate if the charges were 22
|| dropped or if he was convicted. 23 IT IS SO ORDERED.

24 Dated: March 12, 2025 25 Hh 0 lo 7 ROBERT M. ILLMAN United States Magistrate Judge 28