

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Daniels v. Aponte

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

OPINION

Daniels v. Aponte

PER CURIAM.

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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., ll 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