

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, ABERDEEN DIVISION**

Garrick Lashun Miller v. Brad Taylor, et al.

Miller v. Taylor · No. No. 1:25CV86-SA-DAS · Decided January 13, 2026

OPINION

Taylor

PER CURIAM.

FOR THE NORTHERN DISTRICT OF MISSISSIPPI

ABERDEEN DIVISION

GARRICK LASHUN MILLER PLAINTIFF

v. No. 1:25CV86-SA-DAS

BRAD TAYLOR, ET AL. DEFENDANTS

ORDER DENYING MOTION [18] FOR

MISCELLANEOUS RELIEF

This matter comes before the court on the plaintiff's motion [18] seeking: (1) a stay of proceedings; (2) an extension of the deadline to effect service of process; and (3) preservation of evidence. For the reasons set forth below, the instant motion will be denied in all respects. The plaintiff seeks a stay in proceedings until his related petition for writ of habeas corpus is resolved in the United States District Court for the Southern District of Mississippi. However, a stay is unnecessary because the present cause of action will accrue only if he prevails on his habeas corpus petition, which is currently pending. See *Heck v. Humphrey*, 512 U.S. 477, 114 S. Ct. 2364, 129 L. Ed. 2d 383 (1994). As the limitations period on the instant case has not begun to run, a stay of proceedings is not necessary. Likewise, as the cause of action in this case has not accrued, the court need not issue service of process, and there is thus no need to extend the deadline for service of process. The plaintiff's request for such an extension will be denied. In addition, the plaintiff has alleged no facts to support the notion that evidence relevant to this case may be lost or destroyed; as such, his request for an order requiring preservation of evidence will be denied. In sum the instant motion [18] for miscellaneous relief is DENIED in all respects SO ORDERED, this, the 13th day of January, 2026. /s/ David A. Sanders