

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michael Thomas v. Gomez, et al.

Thomas v. Gomez · No. 1:24-cv-00508-KES-SKO · Decided September 18, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiff Michael Thomas’s motion to stay his civil rights action pending transfers between correctional facilities and his receipt of legal materials. The court stayed the action for 120 days, vacated the existing Discovery and Scheduling Order, and stated that it would issue a new scheduling order after the stay was lifted.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 18, 2025
DOCKET	1:24-cv-00508-KES-SKO
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to stay his civil rights action pending transfers between correctional facilities and his receipt of legal materials. The court granted the motion.
STANDARD OF REVIEW	Abuse-of-discretion framework governing a district court's decision to stay proceedings as an incident of its authority to control its docket; the party seeking the stay bears the burden of establishing its need.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	Michael Thomas v. Gomez, et al.

TOPICS

- civil procedure
- prisoners rights
- section 1983
- motions to dismiss

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- case management

QUESTIONS PRESENTED

1. Whether good cause supported staying the civil rights action for 120 days while Plaintiff was transferred among correctional facilities and lacked access to his legal materials.
2. Whether the court should vacate the existing Discovery and Scheduling Order as a consequence of the stay.

HOLDINGS

1. A district court may stay proceedings under its broad discretion to control its docket, and Plaintiff established good cause for a temporary 120-day stay because his anticipated transfers and lack of access to legal materials would impair his ability to prosecute the action.
2. The court vacated the previously issued Discovery and Scheduling Order and will issue a new scheduling order after the stay is lifted.

KEY QUOTATIONS

“The district court “has broad discretion to stay proceedings as an incident to its power to control its own docket.”” (at 2)

“Generally, stays should not be indefinite in nature.” (at 2)

FACTUAL BACKGROUND

Plaintiff was incarcerated at the Minnehaha County Jail in Sioux Falls, South Dakota, and anticipated transfers to a South Dakota state prison and then to multiple federal facilities following sentencing in an underlying federal criminal case. He stated that he lacked, or would lack during transit, access to the legal materials needed to litigate this action. Plaintiff estimated that reaching his permanent federal facility would take approximately 120 to 150 days and agreed to notify the court of address changes and request that the stay be lifted upon reaching his final destination.

PROCEDURAL HISTORY

The action was filed under 42 U.S.C. § 1983. After issuing a Discovery and Scheduling Order on May 5, 2025, the court considered Plaintiff’s August 26, 2025 motion to stay. Defendants filed neither an opposition nor a statement of non-opposition. The court granted a 120-day stay, vacated the prior scheduling order, and directed that a new scheduling order issue after the stay is lifted.

DISPOSITION

other

CASES CITED

- Clinton v. Jones, 520 U.S. 681, 706, 708 (1997)
- Landis v. North American Co., 299 U.S. 248, 254 (1936)
- Dependable Highway Exp., Inc. v. Navigators Ins. Co., 498 F.3d 1059, 1066-67 (9th Cir. 2007)

- Yong v. I.N.S., 208 F.3d 1116, 1119 (9th Cir. 2000)

OPINION

Gomez

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 MICHAEL THOMAS, Case No.: 1:24-cv-00508-KES-SKO 12 Plaintiff, ORDER
GRANTING PLAINTIFF'S

MOTION TO STAY ACTION PENDING

13 v. TRANSFERS

14 GOMEZ, et al., (Doc. 29) 15 Defendants. 16 17 Plaintiff Michael Thomas is proceeding pro se
and in forma pauperis in this civil rights 18 action pursuant to 42 U.S.C. section 1983.

19 I. INTRODUCTION

20 On May 5, 2025, the Court issued its Discovery and Scheduling Order. (Doc. 28.) On

21 August 26, 2025, Plaintiff filed a motion seeking a stay of this action pending his future
transfers

22 between multiple county, state, and federal institutions. (Doc. 29.) 23 Defendants have filed
neither an opposition nor a statement of non-opposition to 24 Plaintiff's motion. See Local Rule
230(l).

25 II. DISCUSSION

26 Plaintiff moves the Court for a stay of this action until he is sentenced in an underlying 27
criminal action pending in a South Dakota federal district court. He is presently housed at the
Minnehaha County Jail in Sioux Falls, South Dakota, and may be housed in a South Dakota state 1
prison facility to await sentencing on November 3, 2025. Following sentencing, Plaintiff will be 2
returned to federal custody. Until Plaintiff reaches the federal penitentiary assigned as his 3
permanent facility, he states that during all periods of transit between the county jail, potentially a
4 South Dakota state prison, and a series of multiple federal facilities (transit center, institution(s)),
5 he will not have access to his legal materials. Plaintiff further states he does not presently have 6
access to his legal materials making it difficult to effectively litigate this action. 7 Plaintiff states
he spoke with defense counsel on August 12, 2025. When defense counsel 8 inquired about
outstanding discovery responses, Plaintiff advised defense counsel of his 9 circumstances and
states that the parties "agreed to stipulate to staying this case until [Plaintiff 10 reaches] his final
destination." Plaintiff states he will promptly notify the Court of any change of 11 address with
each transfer and will also request the stay be lifted once he reaches his final 12 destination. He
estimates that may take about 120 to 150 days. 13 The district court "has broad discretion to stay
proceedings as an incident to its power to 14 control its own docket." Clinton v. Jones, 520 U.S.

681, 706 (1997) (citing *Landis v. North 15 American Co.*, 299 U.S. 248, 254 (1936)). “Generally, stays should not be indefinite in nature.” 16 *Dependable Highway Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066–67 (9th Cir. 2007). 17 If a stay is especially long or its term is indefinite, a greater showing is required to justify it. 18 *Yong v. I.N.S.*, 208 F.3d 1116, 1119 (9th Cir. 2000). The party seeking the stay bears the burden 19 of establishing the need to stay the action. *Clinton*, 520 U.S. at 708. 20 Here, the Court finds Plaintiff has established good cause to stay this action pending his 21 federal incarceration at a “final destination” and the receipt of his legal materials necessary to 22 prosecute this action. *Clinton*, 520 U.S. at 706, 708. The Court will stay this action for 120 days 23 after which the stay will be lifted absent any renewed motion by Plaintiff. As a result of the stay, 24 the Court will vacate its previously issued Discovery and Scheduling Order and will reissue a 25 scheduling order following a lifting of the stay. 26 // 27 //

1 III. CONCLUSION AND ORDER

2 Based on the foregoing, the Court HEREBY ORDERS: 3 1. Plaintiff’s motion for a stay of this action (Doc. 29) is GRANTED; 4 2. This action is STAYED for a period of 120 days; 5 3. The Discovery and Scheduling Order issued May 5, 2025 (Doc. 28) is VACATED; 6 and 7 4. At the conclusion of the 120-day period, the Court will lift the stay of these 8 proceedings and issue a new scheduling order. 9 IT IS SO ORDERED. 10 11 Dated: September 17, 2025 /s/ Sheila K. Oberto .

UNITED STATES MAGISTRATE JUDGE

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27