

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Reyes-Villanueva v. Tyson Pogue

Reyes-Villanueva · No. 1:24-cv-00493-JLT-EPG (PC) · Decided February 28, 2025

SUMMARY

The United States District Court for the Eastern District of California orders the parties to submit statements addressing scheduling and discovery matters within thirty days. The order limits the required submissions to Plaintiff Michael Reyes-Villanueva and Defendant Tyson Pogue, and specifies additional issues Defendant Pogue must address, including exhaustion, investigative materials, recordings, and proper-party arguments.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	1:24-cv-00493-JLT-EPG (PC)
DISPOSITION	other
PROCEDURAL POSTURE	After screening Plaintiff's prisoner civil-rights complaint and ordering the case to proceed, the court issued a scheduling and discovery order. The court had stayed the action as to the Wellpath Defendants but not as to Defendant Tyson Pogue.
PRECEDENTIAL VALUE	Unpublished district court scheduling and discovery order; nonprecedential

TOPICS

- discovery dispute
- civil procedure
- prisoners rights
- section 1983
- summary judgment

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights

QUESTIONS PRESENTED

- Whether the court should proceed with scheduling and discovery as to the claim against Defendant Tyson Pogue while the claims against the Wellpath Defendants remain stayed.

2. What scheduling, discovery, exhaustion, investigation, and evidence information Plaintiff and Defendant Pogue must provide in their required statements.

HOLDINGS

1. The court ordered the case to proceed with scheduling as to the claim against Defendant Tyson Pogue only, while the stay remained in effect as to the Wellpath Defendants.
2. Plaintiff and Defendant Pogue were required to file statements titled “SCHEDULING AND DISCOVERY STATEMENT” within thirty days after service of the order, addressing the specified claims, defenses, witnesses, documents, third-party records, experts, settlement, and other scheduling and discovery matters.

KEY QUOTATIONS

“The Court will proceed with scheduling the case as to the claim against only Defendant Pogue and the Court will require only Plaintiff and Defendant Pogue to submit a statement regarding the schedule and discovery matters.” (at 1)

“Whether Defendant intends to challenge the issue of exhaustion and, if so, when Defendant will be ready to file a motion for summary judgment regarding the issue of exhaustion.” (at 2)

FACTUAL BACKGROUND

Plaintiff Michael Reyes-Villanueva brought a prisoner civil-rights action against Tyson Pogue and other defendants. The court had stayed the action as to several Wellpath Defendants but had not stayed the claim against Pogue. The order references claims concerning events at Plaintiff's institution of confinement, including possible grievances, investigations, witness evidence, documents, photographs, and video recordings.

PROCEDURAL HISTORY

The court screened the complaint and ordered the case to proceed. It later stayed the case as to Dr. Gustavenson, Nurse Debbie, RN Michelle, RN Eva, RN Khloe, RN Maria, RN Victoria, and RN Kristen, while leaving the claim against Tyson Pogue proceeding. The court ordered Plaintiff and Pogue to file scheduling and discovery statements within thirty days after service of the order.

DISPOSITION

other

CASES CITED

- Woodford v. Ngo, 548 U.S. 81, 94-95 (2006)