

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Rood v. Secretary of CDCR

Rood · No. 1:22-cv-00449-SAB (PC) · Decided April 10, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Plaintiff Colton James Rood’s motion to stay proceedings in his § 1983 action against correctional officials. The court granted him an additional thirty days to respond to the defendant’s pending motions for summary judgment, to compel discovery responses, and to stay merits-based discovery, and directed the Clerk to resend those filings and a prior order.

CASE DETAILS

|                       |                                                                                                                                                                                               |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                           |
| WRITING FOR THE COURT | Stanley A. Boone                                                                                                                                                                              |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                           |
| DECIDED               | April 10, 2025                                                                                                                                                                                |
| DOCKET                | 1:22-cv-00449-SAB (PC)                                                                                                                                                                        |
| DISPOSITION           | other                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Plaintiff, proceeding pro se and in forma pauperis in a 42 U.S.C. § 1983 action, moved to stay the proceedings while the defendant's motions for summary judgment and to compel were pending. |
| STANDARD OF REVIEW    | The district court has broad discretion to stay proceedings as an incident to its power to control its docket, and the party seeking a stay bears the burden of establishing the need for it. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                   |
| PARTIES               | Colton James Rood v. Secretary of CDCR, et al.                                                                                                                                                |

TOPICS

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

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether Plaintiff established sufficient grounds for a stay of the entire proceedings.
2. Whether Plaintiff should receive additional time to respond to Defendant's pending motions despite denial of a stay.

## HOLDINGS

1. Plaintiff failed to meet his burden of establishing the need for a stay, so the motion to stay the proceedings was denied.
2. Although the court denied a stay, it granted Plaintiff thirty days from service of the order to respond to Defendant's pending motions and directed the Clerk to resend the relevant filings.

## KEY QUOTATIONS

*“The district court “has broad discretion to stay proceedings as an incident to its power to control its own docket.”” (at 1)*

*“The party seeking the stay bears the burden of establishing the need to stay the action.” (at 1)*

## FACTUAL BACKGROUND

Plaintiff stated that his receipt of mail had been interrupted because he had been released from custody and that discovery requests had been returned as unsent. He also reported having undergone recent thumb surgery. The court found that Plaintiff had not shown that a stay was necessary to address the pending exhaustion-based summary-judgment motion or that his medical condition required a stay of the entire proceedings.

## PROCEDURAL HISTORY

The action proceeded against Defendant E. Carrillo on claims of deliberate indifference and retaliation. Defendant filed a motion for summary judgment based on failure to exhaust administrative remedies and a motion to compel discovery responses. After the court separately granted a stay of merits-based discovery, Plaintiff moved to stay the entire proceedings. The court denied that motion, granted Plaintiff an additional thirty days to respond to the pending motions, and directed the Clerk to resend copies of the motions and a prior order.

## DISPOSITION

other

## CASES CITED

- Clinton v. Jones, 520 U.S. 681, 706, 708 (1997)
- Landis v. N. Am. Co., 299 U.S. 248, 254 (1936)

## OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF  
CALIFORNIA 10 11 COLTON JAMES ROOD, No. 1:22-cv-00449-SAB (PC) 12 Plaintiff,  
ORDER DENYING PLAINTIFF’S MOTION TO STAY PROCEEDINGS, AND 13 v.  
GRANTING PLAINTIFF THIRTY DAYS TO FILE A RESPONSE TO DEFENDANT’S 14  
SECRETARY OF CDCR, et al., MOTION FOR SUMMARY JUDGMENT AND MOTION TO  
COMPEL 15 Defendants.

(ECF No. 81) 16 17 Plaintiff is proceeding pro se and in forma pauperis in this civil rights action  
filed pursuant 18 to 42 U.S.C. § 1983. The parties have consented to Magistrate Judge jurisdiction.  
(ECF No. 62.) 19 This action proceeds against Defendant E. Carrillo for deliberate indifference  
and retaliation. 20 Currently before the Court is Plaintiff’s motion to stay the proceedings, filed on  
April 7, 21 2025.

(ECF No. 81.) 22 On March 7, 2025, Defendant filed a motion for summary judgment for failure  
to exhaust 23 the administrative remedies. (ECF No. 77.) Then, on March 10, 2025, Defendant  
filed a motion 24 to compel responses to discovery requests served on Plaintiff. (ECF No. 78.) 25  
On March 12, 2025, Defendant filed a motion to stay merits-based discovery, which was 26  
granted on March 13, 2025.

(ECF Nos. 79, 80.) 27 Plaintiff now seeks to stay the proceedings because his receipt of mail has  
been 28 1 interrupted upon his release from custody, discovery requests were returned “unsent”;  
and he had 2 recent surgery on thumb. (ECF No. 81 at 1.) 3 The district court “has broad discretion  
to stay proceedings as an incident to its power to 4 control its own docket.” *Clinton v. Jones*, 520  
U.S. 681, 706 (1997) (citing *Landis v. N. Amer.*

5 Co., 299 U.S. 248, 254 (1936)). The party seeking the stay bears the burden of establishing the 6  
need to stay the action. *Clinton*, 520 U.S. at 708. 7 Plaintiff has not met his burden of establishing  
the need to stay this action.

The fact that 8 Plaintiff’s mail has been interrupted because he has been in and out of custody of  
the Shasta 9 County Jail is of his own doing. Further, there is no showing that the discovery  
responses are 10 necessary to address Defendant’s pending motion for summary judgment for  
failure to exhaust 11 the administrative remedies. Lastly, while the Court is sympathetic to  
Plaintiff’s recent surgery, 12 Plaintiff has failed to demonstrate the need to stay the entire  
proceedings pending his full 13 recovery.

However, based on Plaintiff’s contention, the Court finds good cause to grant Plaintiff 14 an  
additional thirty days to file a response to Defendants’ pending motions. In the interest of 15  
justice and in an effort to move this case forward in an efficient manner, the Court will also make  
16 a one-time exception and direct the Clerk of Court to send Plaintiff a copy of Defendants’ 17  
motions and the Court’s most recent order to assist in Plaintiff in filing a timely response.

(ECF 18 Nos. 77, 78, 79, 80.) 19 Accordingly, it is HEREBY ORDERED that: 20 1. Plaintiff's motion to stay the proceedings (ECF No. 81) is DENIED; 21 2. The Clerk of Court shall send a copy of Defendant's motion for summary 22 judgment (ECF No. 77), Defendant's motion to compel (ECF No. 78), Defendant's 23 motion to stay (ECF No. 79), and the Court's March 13, 2025 order (ECF No 80) 24 to Plaintiff at his address of record; and 25 /// 26 /// 27 /// 28 /// 1 3.

Within thirty (30) days from the date of service of this order, Plaintiff may file a 2 response to Defendant's pending motions. 3 4 IT IS SO ORDERED. ☐☐ (Se 5 | Dated: \_ April 9, 2025 OF STANLEY A. BOONE 6 United States Magistrate Judge 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28