

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

McDowell v. Smith

No. 1:24-cv-00500-SAB (PC) (E.D. Cal. May 27, 2025) · No. No. 1:24-cv-00500-SAB (PC) · Decided May 27,
2025

SUMMARY

The United States District Court for the Eastern District of California granted defendants’ motion to stay merits-based discovery and vacate discovery and dispositive-motion deadlines. The stay remains in effect until the court rules on defendants’ pending summary-judgment motion concerning exhaustion of administrative remedies.

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	May 27, 2025
DOCKET	No. 1:24-cv-00500-SAB (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to stay merits-based discovery and vacate the discovery and dispositive-motion deadlines while their motion for summary judgment based on failure to exhaust administrative remedies was pending.
STANDARD OF REVIEW	The court exercised broad discretion to manage discovery and applied the good-cause standard for protective orders under Federal Rule of Civil Procedure 26(c)(1).
PRECEDENTIAL VALUE	unpublished district-court order

TOPICS

- discovery dispute
- summary judgment
- affirmative defenses
- prisoners rights
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether the court should stay merits-based discovery while Defendants' potentially dispositive exhaustion-based summary-judgment motion was pending.
2. Whether the court should vacate the existing discovery and dispositive-motion deadlines during the stay.

HOLDINGS

1. For good cause, the court may stay discovery directed to the merits while a potentially dispositive motion concerning exhaustion is pending, because resolution of that motion may eliminate the need for merits-based discovery.
2. The court vacated the discovery and dispositive-motion deadlines and authorized resetting them, if necessary, after resolution of the pending summary-judgment motion.

KEY QUOTATIONS

“Exhaustion should be decided, if feasible, before reaching the merits of a prisoner’s claims,” (1)

“discovery directed to the merits of the suit” (1)

FACTUAL BACKGROUND

Plaintiff is proceeding pro se and in forma pauperis in a § 1983 prisoner civil-rights action. Defendants filed a motion for summary judgment asserting that Plaintiff failed to exhaust administrative remedies. Because that motion could resolve the action without merits-based discovery, Defendants sought a stay of merits discovery and vacation of the existing deadlines.

PROCEDURAL HISTORY

Plaintiff brought a pro se, in forma pauperis action under 42 U.S.C. § 1983. Defendants filed a motion for summary judgment asserting failure to exhaust administrative remedies and then moved to stay merits-based discovery and vacate deadlines. The court granted the motion to stay and vacated the deadlines, subject to resetting them after resolution of the summary-judgment motion.

DISPOSITION

other

CASES CITED

- Dichter-Mad Family Partners, LLP v. U.S., 709 F.3d 749, 751 (9th Cir. 2013) (per curiam)
- Hunt v. County of Orange, 672 F.3d 606, 616 (9th Cir. 2012)
- Survivor Media, Inc. v. Survivor Prods., 406 F.3d 625, 635 (9th Cir. 2005)
- Hallett v. Morgan, 296 F.3d 732, 751 (9th Cir. 2002)
- Little v. City of Seattle, 863 F.2d 681, 685 (9th Cir. 1988)
- Albino v. Baca, 747 F.3d 1162, 1166, 1170-71 (9th Cir. 2014) (en banc)

- Gibbs v. Carson, No. C-13-0860 THE (PR), 2014 WL 172187, at *2-3 (N.D. Cal. Jan. 15, 2014)
- Wyatt v. Terhune, 315 F.3d 1108, 1115 n.7 (9th Cir. 2003)

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