

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Elvin Hamilton v. County of Kern, et al.

Case No. 1:25-cv-00979-CDB (E.D. Cal. Nov. 19, 2025) · No. 1:25-cv-00979-CDB · Decided November 19,
2025

OPINION

Hamilton

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 ELVIN HAMILTON, Case No. 1:25-cv-00979-CDB 12 Plaintiff, ORDER GRANTING
DEFENDANTS’

UNOPPOSED MOTION TO STAY

13

v. PROCEEDINGS

14 COUNTY OF KERN, et al., (Docs. 19, 21) 15 Defendants.

ORDER VACATING SCHEDULING

16

CONFERENCE

17 (Doc. 20) 18

120-DAY DEADLINE

19 20 Background 21 On August 7, 2025, Plaintiff Elvin Hamilton initiated this action with the
filing of a 22 complaint in which he asserts causes of action against Defendant County of Kern
and others under 23 42 U.S.C. § 1983 and state law, arising out of a traffic stop that occurred on
February 27, 2025. 24 (Doc. 1 at 4-6). 25 Pending before the Court is Defendants’ motion to stay
the proceedings until the conclusion 26 of a criminal case arising out of the same incident: People
v. Hamilton, Superior Court of California, 27 County of Kern, Case No. MM106261A. (Doc. 19).
Plaintiff filed a statement of non-opposition on November 18, 2025, wherein he represents that the
parties “met and conferred and agreed that 1 rather than filing a Stipulation to Stay, this notice of
Non-Opposition would accomplish the same 2 goal.” (Doc. 21). 3 Legal Standard 4 The power to
stay proceedings is “incidental to the power inherent in every court to control 5 the disposition of
the causes on its docket with economy of time and effort for itself, for counsel, 6 and litigants.”
Landis v. N. Am. Co., 299 U.S. 248, 254-55 (1936); accord CMAX v. Hall, 300 F.2d 7 265, 268
(9th Cir. 1962). A court may enter a stay “pending resolution of independent proceedings 8 which
bear upon the case...whether the separate proceedings are judicial, administrative, or arbitral 9 in

character,” and granting the stay “does not require that the issues in such proceedings are 10 necessarily controlling of the action before the court.” *Mediterranean Enters., Inc. v. Ssangyong 11 Corp.*, 708 F.2d 1458, 1465 (9th Cir. 1983) (quotation and citation omitted). In granting a stay, a 12 court must weigh “the length of the stay against the strength of the justification given for it.” *Yong 13 v. I.N.S.*, 208 F.3d 1116, 1119 (9th Cir. 2000). “If a stay is especially long or its term is indefinite, 14 [courts] require a greater showing to justify it.” *Id.* 15 The party seeking such a stay must “make out a clear case of hardship or inequity in being 16 required to go forward if there is even a fair possibility that the stay for which he prays will work 17 damage to [someone] else.” *Landis*, 299 U.S. at 255. Three factors guide the Court’s determination 18 of whether a stay is appropriate: “(1) the possible damage which may result from the granting of a 19 stay, (2) the hardship or inequity which a party may suffer in being required to go forward, and (3) 20 the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, 21 and questions of which could be expected to result from a stay.” *CMAX*, 300 F.2d at 268 (citing 22 *Landis*, 299 U.S. at 254-55). 23 Discussion 24 As Plaintiff does not oppose the motion to stay the proceedings and represents that his non- 25 opposition is intended to accomplish the same goal as a stipulation, the Court finds that factors (1) 26 and (2) above weigh in favor of granting the stay. See (Docs. 19, 21). 27 As to factor (3), the Court considers how a stay may simplify or complicate the issues in 1 | simplifying or complicating issues, proof, and questions of law which could be expected to result 2 | from a stay.” *CMAX*, 300 F.2d at 268. Here, the Court finds that staying the case will likely help 3 | simplify the issues, specifically, those related to the Plaintiff’s Fifth Amendment right against self 4 | incrimination. 5 Having considered the Defendants’ unopposed motion and weighed the competing interests, 6 | the Court concludes a stay is appropriate. 7 Conclusion and Order 8 Based on the foregoing, the *CMAX* factors set forth by the Ninth Circuit weigh in favor of 9 | granting a stay of this action. 10 Accordingly, it is HEREBY ORDERED that: 11 1. Defendants’ motion to stay proceedings (Doc. 19) is GRANTED pending the resolution of 12 the criminal matter arising out of the same incident: *People v. Hamilton*, Superior Court of 13 California, County of Kern, Case No. MM106261A. 14 2. The parties SHALL file a joint report addressing the status of the criminal case 120 days 15 from the date of entry of this order, and thereafter, every 120 days, and within 14 days of 16 the aforementioned case being concluded. The parties’ final joint report upon the resolution 17 of the case must set forth the parties’ positions as to the criminal case’s impact on this instant 18 litigation and the parties’ respective positions concerning further scheduling of the case. 19 3. The scheduling conference (Doc. 20) set for January 9, 2025, is VACATED, to be reset as 20 necessary upon lifting of the stay. 21 | ITIS SO ORDERED. | Dated: _November 19, 2025 | Word bo 23 UNITED STATES MAGISTRATE JUDGE 24 25 26 27 28

