

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hector Arnulfo German Reyes v. Warden, FCI Mendota

Reyes · No. 1:24-cv-01543-CDB (HC) · Decided November 6, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Respondent’s motion to stay proceedings in Hector Arnulfo German Reyes’s 28 U.S.C. § 2241 habeas petition. The court instead extended Respondent’s deadline to file a response by 30 days, through December 3, 2025, and set the deadline for Petitioner’s traverse at 30 days after Respondent’s filing.

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	November 6, 2025
DOCKET	1:24-cv-01543-CDB (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Federal prisoner petition for a writ of habeas corpus under 28 U.S.C. § 2241; respondent moved to stay the proceedings instead of filing a response to the petition.
STANDARD OF REVIEW	A stay is discretionary. The court must weigh the possible damage from granting a stay, the hardship or inequity to the party required to proceed, and the orderly course of justice, including whether a stay would simplify or complicate the issues, proof, and questions of law. The length of the stay must be weighed against the strength of the justification, with a greater showing required for a particularly long or indefinite stay.
PRECEDENTIAL VALUE	unpublished trial-court order
PARTIES	Hector Arnulfo German Reyes v. Warden, FCI Mendota

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether respondent established sufficient hardship or inequity to warrant staying the § 2241 proceedings under the factors governing judicial stays.
2. Whether the court should extend respondent's deadline to respond to the habeas petition after denying the motion to stay.

HOLDINGS

1. Respondent's motion to stay is denied because respondent did not address the governing CMAX factors and the balance of potential damage, hardship, and orderly administration of justice did not favor a stay.
2. After denying the stay, the court continued respondent's deadline to respond to the petition by 30 days, through and including December 3, 2025.

KEY QUOTATIONS

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” (at 1)

“[I]f there is even a fair possibility that the . . . stay will work damage to someone else, the party seeking the stay must make out a clear case of hardship or inequity.” (at 1)

“In granting a stay, a court must weigh “the length of the stay against the strength of the justification given for it.”” (at 1)

FACTUAL BACKGROUND

Hector Arnulfo German Reyes, a federal prisoner proceeding pro se and in forma pauperis, filed a § 2241 petition alleging that the Bureau of Prisons denied him due process during a disciplinary hearing. The court ordered respondent to respond by November 3, 2025. On that deadline, respondent moved to stay rather than respond, asserting that a lapse in Department of Justice appropriations prevented DOJ and Bureau of Prisons counsel and staff from working and assisting with the response.

PROCEDURAL HISTORY

Petitioner filed a § 2241 petition alleging that the Bureau of Prisons denied him due process in connection with a disciplinary hearing. After ordering respondent to respond, the court received respondent's motion to stay based on a lapse in Department of Justice appropriations and the asserted unavailability of Bureau of Prisons personnel. The court denied the motion to stay and extended respondent's response deadline by 30 days.

DISPOSITION

other

CASES CITED

- Landis v. North American Co., 299 U.S. 248, 254–55 (1936)
- Lockyer v. Mirant Corp., 398 F.3d 1098, 1109, 1112 (9th Cir. 2005)
- United States v. Aerojet Rocketdyne Holdings, Inc., 381 F. Supp. 3d 1240, 1250 (E.D. Cal. May 8, 2019)
- CMAX, Inc. v. Hall, 300 F.2d 265, 268 (9th Cir. 1962)
- Yong v. I.N.S., 208 F.3d 1116, 1119 (9th Cir. 2000)
- Blanc v. Taylor, No. 1:24-cv-01212-KES-CDB, 2025 WL 437661, at *1 (E.D. Cal. Feb. 7, 2025)
- Puente v. Warden, No. 1:23-cv-00083-CDB (E.D. Cal. Sept. 11, 2025)

OPINION

(HC)Reyes

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 HECTOR ARNULFO GERMAN REYES, No. 1:24-cv-01543-CDB (HC)

12 Petitioner, ORDER DENYING RESPONDENT’S

MOTION TO STAY

13 v. (Doc. 8)

14 WARDEN, FCI MENDOTA,

30-Day Deadline 15 Respondent. 16 17 Petitioner Hector Arnulfo German Reyes (“Petitioner”) is a federal prisoner proceeding pro 18 se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. 19 Petitioner filed the instant habeas petition on December 17, 2024, while in custody of the Bureau 20 of Prisons (“BOP”) at the Federal Correctional Institution, Mendota (“FCI Mendota”). (Doc. 1). 21 Petitioner alleges the BOP denied him due process with respect to a disciplinary hearing. (See 22 generally Doc. 1). 23 After review of the petition and finding it does not plainly appear that Petitioner is not 24 entitled to relief, on September 4, 2025, the Court ordered Respondent to respond to the petition by 25 November 3, 2025. (Doc. 6).

26 On the deadline to file a response, Respondent instead filed a motion to stay. (Doc. 8). 27 Respondent argues a stay is warranted because appropriations to the Department of Justice 28 (“DOJ”), by whom counsel for Respondent and relevant employees of the BOP are employed, 1 lapsed upon expiration of the relevant appropriations act on September 30, 2025. Id. at 1. As such, 2 Respondent explains that neither DOJ nor BOP counsel or staff are permitted to work until 3 Congress has restored appropriations. Id. at 1-2. Respondent further asserts that, because BOP 4 staff are unavailable to assist, counsel for Respondent “cannot effectively respond to Petitioner’s 5 arguments.” Id. at 2. Lastly, Respondent represents that Petitioner’s response to the Court’s 6

outstanding order to show cause (Doc. 7) is due November 10, 2025,¹ and the BOP's inmate locator 7 does not appear to evidence Petitioner presently in BOP custody. *Id.* 8 I. Standard of Law 9 "[T]he power to stay proceedings is incidental to the power inherent in every court to control 10 the disposition of the causes on its docket with economy of time and effort for itself, for counsel, 11 and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1109 (9th Cir. 2005). "[I]f there is even a fair possibility that the . . . stay will 13 work damage to someone else, the party seeking the stay must make out a clear case of hardship or 14 inequity." *Lockyer*, 398 F.3d at 1112; *United States v. Aerojet Rocketdyne Holdings, Inc.*, 381 F.

15 Supp. 3d 1240, 1250 (E.D. Cal. May 8, 2019).

16 In considering whether to grant a stay, this Court must weigh several factors, including "[1] 17 the possible damage which may result from the granting of a stay, [2] the hardship or inequity 18 which a party may suffer in being required to go forward, and [3] the orderly course of justice 19 measured in terms of the simplifying or complicating of issues, proof, and questions of law which 20 could be expected to result from a stay." *CMAX, Inc. v. Hall*, 300 F.2d 265, 268 (9th Cir. 1962) 21 (citing *Landis*, 299 U.S. at 254–55). In granting a stay, a court must weigh "the length of the stay 22 against the strength of the justification given for it." *Yong v. I.N.S.*, 208 F.3d 1116, 1119 (9th Cir. 23 2000). "If a stay is especially long or its term is indefinite, [courts] require a greater showing to 24 justify it." *Id.* 25 /// 26 /// 27 1 The Court notes that this date is incorrect. The deadline is, in fact, November 13, 2025. 28 See Fed. R. Civ. P. 6(d). 1 II. Discussion 2 In the pending motion, Respondent fails to weigh or even acknowledge the CMAX factors. 3 While the Court acknowledges its discretion to temporarily stay proceedings under the 4 circumstances described by Respondent in the motion, the Court does not find that the balance of 5 CMAX factors favors staying proceedings. The Court, instead, will continue the deadline for 6 Respondent's filing of a response by 30 days. 7 As the undersigned previously has admonished counsel for Respondent, Assistant U.S. 8 Attorney Michelle Rodriguez, on at least six prior occasions (see *Blanc v. Taylor*, No. 1:24-cv- 9 01212-KES-CDB, 2025 WL 437661, at *1 (E.D. Cal. Feb. 7, 2025) (citing cases); *Puente v. 10 Warden*, No. 1:23-cv-00083-CDB (E.D. Cal. Sept. 11, 2025), the Court disfavors motions seeking 11 extensions of time filed on the deadline sought to be extended. See Local Rule 144(d) ("Counsel 12 shall seek to obtain a necessary extension from the Court or from other counsel or parties in an 13 action as soon as the need for an extension becomes apparent. Requests for Court-approved 14 extensions brought on the required filing date for the pleading or other document are looked upon 15 with disfavor."). 16 Any continued failure by counsel for Respondent to comply with the Court's orders or Local 17 Rules may result in the imposition of sanctions. 18 Conclusion and Order 19 Accordingly, it is hereby ORDERED: 20 1. Respondent's motion to stay (Doc. 8) is DENIED. 21 2 The deadline by which Respondent shall file a response to the petition, including 22 any and all transcripts or other documents relevant to the resolution of the issues 23 presented in the petition, is continued by 30 days, through and

including

24 December 3, 2025.

25 /// 26 /// 27 /// 28 1 3. Petitioner's traverse to any Answer or Opposition to any motion to
dismiss filed 2 by Respondent is due on or before 30 days from the date of Respondent's filing. 3 |
ITIS SOORDERED. 4 Dated: _ November 5, 2025 | Ww Vv Ry

5 UNITED STATES MAGISTRATE JUDGE

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