

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Raymond A. Treon v. Warden, FCI-Mendota

Treon v. Warden · No. 1:25-cv-00122-HBK (HC) · Decided October 29, 2025

SUMMARY

The United States District Court for the Eastern District of California granted the respondent’s motion to stay briefing in a habeas case because of the lapse of appropriations affecting the Department of Justice and Bureau of Prisons. The court ordered the respondent to request lifting the stay and propose a briefing schedule within seven days after appropriations are restored.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 29, 2025
DOCKET	1:25-cv-00122-HBK (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Respondent moved to stay the briefing schedule in a federal habeas proceeding because of a lapse in Department of Justice appropriations. The court granted the motion.
STANDARD OF REVIEW	A district court has broad discretion to stay a case. An especially long or indefinite stay requires a greater justification, and the court must balance the length of the stay against the strength of the justification.
PRECEDENTIAL VALUE	Unknown; district court order
PARTIES	Raymond A. Treon v. Warden, FCI-Mendota

TOPICS

- federal habeas corpus
- appropriations
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Civil procedure
- Appropriations

QUESTIONS PRESENTED

1. Whether the court should stay the habeas briefing schedule because a lapse in Department of Justice appropriations prevented Respondent from obtaining information necessary to respond to the operative petition.

HOLDINGS

1. The court held that, for good cause shown, a stay of the briefing schedule was appropriate in light of the lapse in Department of Justice appropriations and its effect on Respondent’s ability to prepare a response.

KEY QUOTATIONS

- “As a rule, “stays should not be indefinite in nature.”” (at 1)
- “If a stay is especially long or indefinite, a greater showing is required to justify it and the court must “balance the length of any stay against the strength of the justification given for it.”” (at 1-2)

FACTUAL BACKGROUND

A lapse in appropriations to the Department of Justice at the end of September 30, 2025, affected the Bureau of Prisons. Respondent asserted that the lack of appropriations prevented it from obtaining information necessary to respond effectively to Treon’s second amended habeas petition.

PROCEDURAL HISTORY

The court had previously vacated the briefing schedule and designated Petitioner’s second amended petition as the operative pleading. Respondent then moved to stay briefing until Congress restored appropriations, and the court granted the motion, directing Respondent to seek lifting of the stay and propose a briefing schedule within seven days after restoration of appropriations.

DISPOSITION

other

CASES CITED

- Clinton v. Jones, 520 U.S. 681, 705 (1997)
- Landis v. North American Co., 299 U.S. 248, 254 (1936)
- Dependable Highway Express, Inc. v. Navigators Insurance Co., 498 F.3d 1059, 1066-67 (9th Cir. 2007)
- Yong v. INS, 208 F.3d 1116, 1119 (9th Cir. 2000)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 RAYMOND A. TREON, Case No. 1:25-cv-00122-HBK (HC) 12 Petitioner,
ORDER GRANTING RESPONDENT’S MOTION FOR A STAY OF BRIEFING IN 13 v. LIGHT

OF LAPSE OF APPROPRIATIONS 14 WARDEN, FCI-MENDOTA, (Doc. No. 26) 15
Respondent. 16 17 18 Pending before the Court is Respondent's motion for a stay of briefing in
light of the lapse 19 of appropriations to the Department of Justice at the end of the day on
September 30, 2025, which 20 also affected the Bureau of Prisons ("BOP").

(Doc. No. 26). Respondent requests a stay of 21 briefing until Congress has restored
appropriations to provide the information necessary to 22 effectively respond to Petitioner
Raymond Treon's Second Amended Petition (Doc. No. 21). 23 (Id.).¹ 24 The court is vested with
broad discretion to stay a case. *Clinton v. Jones*, 520 U.S. 681, 25 705 (1997) (citing *Landis v.*
North American Co., 299 U.S. 248, 254 (1936)).

As a rule, "stays 26 should not be indefinite in nature." *Dependable Highway Exp., Inc. v.*
Navigators Ins. Co., 498 27 1 On August 29, 2025, the Court vacated the previous briefing
schedule and deemed Petitioner's 28 second amended petition (Doc. No. 21) the operative
pleading. (Doc. No. 23, ¶¶ 1,2). 1 | F.3d 1059, 1066-67 (9th Cir. 2007). If a stay is especially long
or indefinite, a greater showing is 2 | required to justify it and the court must "balance the length of
any stay against the strength of the 3 | justification given for it." *Yong v. L.N.S.*, 208 F.3d 1116,
1119 (9th Cir.

2000). For good cause 4 | shown, the Court that a stay of the briefing schedule is appropriate. 5
Accordingly, it is ORDERED: 6 1. Respondent's motion to stay (Doc. No. 26) is GRANTED. 7 2.
The briefing schedule is hereby STAYED. 8 3. No later than seven (7) days after Congress has
restored appropriations to the Department 9 of Justice, Respondent shall file a request to lift the
stay and a proposed briefing schedule.

10 Dated: _ October 29, 2025 Wile. Th fareh Zack 12 HELENA M. BARCH-KUCHTA 3
UNITED STATES MAGISTRATE JUDGE 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28