

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

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