UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KIRK DOUGLAS WILLIAMS, Petitioner, v. GENA JONES, Respondent.	Case No. 2:23-cv-1862-DC-JDP (P) ORDER; FINDINGS AND RECOMMENDATIONS

On March 10, 2025, I dismissed petitioner's second amended petition with leave to amend after finding that it failed to put either the court or any potential respondent on notice of the claims at issue. ECF No. 30. More than a year has passed, and petitioner has not filed an amended petition. Accordingly, I now recommend that the second amended petition be dismissed without leave to amend.

As stated in my order dismissing the petition with leave to amend, the second amended petition is, at a fundamental level, unintelligible. Complete with attachments, it contains almost one-thousand pages of poorly organized exhibits that no reader could reasonably be expected to interpret. *See* ECF No. 26. Given that petitioner shows no intent of amending and remedying this deficiency, I see no alternative but to recommend that this action be dismissed for failure to state a claim and failure to prosecute.

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Additionally, I recommend that petitioner's most recently filed motion to stay, ECF No. 55, be denied. Therein, he requests an emergency stay of all proceedings and an evidentiary hearing to explore the impacts of his alleged visual disability. *Id.* at 2. Petitioner's suggested remedies of audio versions of court files and "screen-reader-compatible documents" are not practically implementable at this time. He may, as he requests in his other motion, ECF No. 54, have additional time to file objections to my pending findings and recommendations, ECF No. 53.

Accordingly, it is ORDERED that petitioner's motion for sixty-day extension of time, ECF No. 54, is GRANTED, and his objections to my findings and recommendations, ECF No. 53, are due sixty days from the date of this order's entry.

Further, it is RECOMMENDED that:

1. Petitioner's second amended petition, ECF No. 26, be DISMISSED without leave to amend for failure to state a claim and failure to prosecute.

2. Petitioner's motion for emergency stay, ECF No. 55, be DENIED.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days of service of these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Any such document should be captioned "Objections to Magistrate Judge's Findings and Recommendations," and any response shall be served and filed within fourteen days of service of the objections. The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. *See Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

IT IS SO ORDERED.

Dated: July 28, 2026

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE