

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID A. DEPONTE,

Plaintiff,

v.

BOWMAN, et al.,

Defendants.

No. 2:24-cv-1262 DJC CSK P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On September 20, 2024, this action was referred to the Post-Screening ADR Project and stayed for 120 days. (ECF No. 52.) This action is set for a settlement conference on March 19, 2025. (ECF No. 59.) On December 3, 2024, the stay in this action was extended to March 19, 2025. (ECF No. 60.)

On January 16, 2025, plaintiff filed a pleading titled “Motion to Compel CDCR to Follow Attorney General’s Order.” (ECF No. 64.) In this motion, plaintiff appears to allege that prison officials at Mule Creek State Prison (“MCSP”) are retaliating against plaintiff for filing the instant action and for filing grievances related to claims raised in the instant action. (*Id.*) Because this action is stayed, no orders will issue in response to plaintiff’s motion to compel filed January 16, 2025. This Court also observes that the only named defendant in this action is Jessica Bowman, and the alleged deprivations occurred at the California Medical Facility (“CMF”).

1 (ECF No. 35 at 1.) Even were this Court to consider plaintiff's motion to compel filed January
2 16, 2025, plaintiff's motion would be denied because plaintiff seeks relief against MCSP prison
3 officials who are not parties to this action. This Court is unable to issue an order against
4 individuals who are not parties to a suit pending before it. See Zenith Radio Corp. v. Hazeltine
5 Research, Inc., 395 U.S. 100, 112 (1969).

6 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to compel (ECF No. 64)
7 is disregarded because this action is stayed.

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9 Dated: January 22, 2025

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12 UNITED STATES MAGISTRATE JUDGE
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