

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

AUG 30 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JOSE RODRIGUEZ,

Petitioner-Appellant,

v.

DANIEL PARAMO, Warden,

Respondent-Appellee.

No. 18-15683

D.C. No. 1:15-cv-01896-LJO-SKO
Eastern District of California,
Fresno

ORDER

Before: FARRIS and LEAVY, Circuit Judges.

The request for a certificate of appealability is denied. Appellant has not made a “substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Any pending motions are denied as moot.

DENIED.

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF CALIFORNIA
3

4 JOSE RODRIGUEZ,

5 Petitioner,

6 v.

7 DANIEL PARAMO, Warden, R.J.
8 Donovan Correctional Facility,

9 Respondent.

No. 1:15-cv-01896-LJO-SKO HC

**ORDER DEFERRING CONSIDERATION
OF PETITIONER'S MOTION FOR
EVIDENTIARY HEARING**

(Doc. 23)

10 Petitioner, a state prisoner proceeding *pro se* with a petition for writ of habeas corpus
11 pursuant to 28 U.S.C. § 2254, moves for an evidentiary hearing on his claims. Respondent has
12 not filed opposition or consent to the motion. The matter has been referred to the Magistrate
13 Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 and 303.
14

15 A court has inherent power to control its docket and the disposition of cases with economy
16 of time and effort for both the court and the parties. *Landis v. North American Co.*, 299 U.S. 248,
17 251-55 (1936); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992). Petitioner's motion is
18 most efficiently considered when the Court begins its review of the record and consideration of
19 the petition. Because of the large volume of habeas petitions and limited Court resources, the
20 petition in this case will be addressed in due course.
21

22 Accordingly, it is hereby ORDERED that consideration of Petitioner's motion for
23 evidentiary hearing is DEFERRED until the Court considers the merits of the petition.
24

25 IT IS SO ORDERED.

26 Dated: July 18, 2016

/s/ Sheila K. Oberto
27 UNITED STATES MAGISTRATE JUDGE
28