

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

AUG 30 2018

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

JOSE RODRIGUEZ,

No. 18-15683

Petitioner-Appellant,

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

v.

DANIEL PARAMO, Warden,

ORDER

Respondent-Appellee.

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.**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JOSE RODRIGUEZ,

Petitioner,

V.

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

Respondent.

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

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

(Doc. 23)

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

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

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

IT IS SO ORDERED.

Dated: July 18, 2016

181 Sheila K. Oberlo

UNITED STATES MAGISTRATE JUDGE