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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DESHA M. CARTER,

CASE NO. 1:07-cv-01736-SMS PC

Plaintiff,

ORDER STRIKING UNSIGNED MOTION TO COMPEL, AND GRANTING PLAINTIFF THIRTY DAYS WITHIN WHICH TO FILE SIGNED MOTION

v.

C. MUNOZ, et al.,

(Doc. 36)

Defendants.

ORDER DISREGARDING MOTION FOR STATUS

(Doc. 37)

_____ /

This is civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Desha M. Carter, a state prisoner proceeding pro se and in forma pauperis. This action is proceeding against Defendants Munoz, Paz, Parra, and Silva for violation of the Eighth Amendment arising from the conditions Plaintiff was subjected to in the management cell, against Defendant Munoz for violation of the Due Process Clause arising from Plaintiff’s placement in the management cell, and against Defendant Munoz for retaliation in violation of the First Amendment. Pending before the Court is Plaintiff’s motion to compel, filed July 14, 2009. Defendants did not file a response.

Plaintiff failed to sign his motion to compel. The Court cannot consider unsigned documents. Fed. R. Civ. P. 11(a); Local Rule 7-131.

Accordingly, Plaintiff’s unsigned motion to compel is HEREBY STRICKEN from the record, and Plaintiff has **thirty (30) days** from the date of service of this order within which to file a signed motion.

1 Plaintiff's motion regarding the status of his pending motion to compel, filed October 14,
2 2009, is HEREBY DISREGARDED.

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4 IT IS SO ORDERED.

5 **Dated: October 16, 2009**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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