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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARD ROBERTS,

Plaintiff,

v.

CORRECTIONAL OFFICER  
SALANO,

Defendant.

CASE NO. 1:08-cv-00162-LJO-GSA PC

ORDER STRIKING PLAINTIFF’S  
DECLARATIONS FROM THE RECORD

(Doc. 45.)

Plaintiff James Edward Roberts (“plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On March 1, 2010, Plaintiff filed declarations from himself and three other incarcerated witnesses. (Doc. 45.)

There are no motions, or other matters pending before the Court at this time. The Court is not a repository for records and documents should not be submitted where (1) they serve only to confuse the record and burden the Court, or (2) they are intended as future evidence. If this action reaches a juncture at which the submission of evidence is appropriate and necessary (e.g., summary judgment or trial), Plaintiff will have the opportunity at that time to submit his evidence.

Accordingly, the Clerk of the Court is HEREBY ORDERED to strike the documents entered as “Declaration of Plaintiff James Edwards Roberts Under Penalty of Perjury,” (Doc. 45) from the record in this action.

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IT IS SO ORDERED.

**Dated: March 8, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE