

1 DAVID KNAPP T-72724
2 4B1L-38L
3 BOX 3481
4 CORCORAN CA. 93212
(Your Name and Address)

FILED

JUN 26 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
8

9 David Knapp,
10 Plaintiff,
11 vs.
12 California Department of Corrections
13 and Rehabilitation, et al.,
14 Defendants.

No. CV 1-08-780-ROS

CERTIFICATE

15 **I, David Knapp, hereby certify:**

16 (PC) Knapp v. California Department of Corrections and Rehabilitation et al Doc. 11 Att. 3

17 I have read the *pro se* First Amended Complaint (Doc. #8) filed by me on February
18 13, 2009, and to the best of my knowledge, information, and belief, formed after an
19 inquiry reasonable under the circumstances:

- 20 (1) it is not being presented for any improper purpose, such as to
21 harass or to cause unnecessary delay or needless increase in the cost
22 of litigation;
23 (2) the claims, defenses, and other legal contentions therein are
24 warranted by existing law or by a nonfrivolous argument for the
25 extension, modification, or reversal of existing law or the
26 establishment of new law;
27 (3) the allegations and other factual contentions have evidentiary
28 support or, if specifically so identified, are likely to have evidentiary

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support after a reasonable opportunity for further investigation or
discovery; and
(4) the denials of factual contentions are warranted on the
evidence or, if specifically so identified, are reasonably based on a
lack of information or belief.

I further certify that my signature on this document shall serve as an original
signature on the above-referenced Complaint for the purposes of Local Rule of Civil
Procedure 7-131(b) and Rule 11 of the Federal Rules of Civil Procedure.

EXECUTED on this 18 day of May, 2009.


(Signature of Plaintiff)
David Knapp

1 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action for failure to
2 comply with any order of the Court).

3 **IT IS ORDERED:**

4 (1) Within 30 days of the date this Order is filed, Plaintiff must file a completed
5 and signed Certificate, using the Certificate form provided with this Order, certifying that
6 Plaintiff's signature on the Certificate shall serve as an original signature on his First
7 Amended Complaint for the purposes Rule 7-131(b) of the Local Rules of Civil Procedure
8 and Rule 11 of the Federal Rules of Civil Procedure.

9 (2) If Plaintiff fails to file, within 30 days, a completed and signed Certificate on
10 the form provided with this Order, the Clerk of Court must strike Plaintiff's First Amended
11 Complaint and must, without further notice, enter a judgment of dismissal of this action with
12 prejudice that states that the dismissal counts as a "strike" under 28 U.S.C. § 1915(g).

13 (3) The Clerk of Court must mail Plaintiff a Certificate form.

14 DATED this 19th day of March, 2009.

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Roslyn O. Silver
United States District Judge