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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8
9 JOHN ALLEN, CASE NO. 1:08-cv-00917 DLB PC

10 Plaintiff, ORDER DIRECTING CLERK'S OFFICE TO
11 v. SEND COPY OF MOTION FOR
RECONSIDERATION TO PLAINTIFF FOR
SIGNATURE

12 HENSE, et al., (Doc. 9)
13 Defendants.

14 **FIFTEEN DAY DEADLINE**

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16 Plaintiff John Allen ("plaintiff") is a state prisoner who was proceeding pro se and in forma
17 pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On February 3, 2009, the Court
18 dismissed Plaintiff's complaint for failure to state any claims upon which relief may be granted and
19 ordered Plaintiff to file an amended complaint within thirty days. Plaintiff did not file an amended
20 complaint and on March 23, 2009, this Court issued an order dismissing the action for failure to state
21 a claim and failure to obey a court order. (Doc. 7, 8.)

22 On April 6, 2009, Plaintiff filed an unsigned motion for reconsideration, stating that he had
23 complied with the Court's order. Plaintiff states that he submitted an amended complaint but
24 neglected to write the case number on his amended complaint. As a result, the amended complaint
25 was processed as a new complaint in a new action bearing case number 1:09-cv-00433 SMS PC.
26 (Doc. 9.)

27 Plaintiff's motion for reconsideration is unsigned and the Court cannot consider unsigned
28 filings. Fed. R. Civ. P. 11(a). Accordingly, the Clerk's Office is HEREBY DIRECTED to send to

1 Plaintiff a copy of the Motion for Reconsideration. (Doc. 9.) Within fifteen (15) days of service of
2 this order, Plaintiff shall sign and re-file the motion.

3 Failure to comply with this order will result in a Court order striking the motion for
4 reconsideration.

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6 IT IS SO ORDERED.

7 Dated: September 23, 2009

8 /s/ Dennis L. Beck
9 UNITED STATES MAGISTRATE JUDGE

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