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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

J. DOE,

Plaintiff,

v.

J. YATES, et al.,

Defendants.

CASE NO. 1:08-cv-01219-LJO DLB PC

ORDER DENYING REQUEST FOR AMICUS CURIAE STATUS

(Docs. 27, 28, 30)

ORDER STRIKING DOCUMENTS

(Docs. 27, 28, 30, 32, 34, 35, 37, 43, 45)

_____ /

Plaintiff J. Doe is a state prisoner proceeding pro se in this civil rights action. On October 15, 2009, Plaintiff filed her¹ second amended complaint, which the Court screened concurrently with this order. Prior to filing the second amended complaint, Plaintiff has filed numerous exhibits.

On April 16, 2009, Thomas Clinton, who is not a party to this action filed a motion as amicus curiae to accept evidence in the interest of justice. (Doc. 27.) Also on April 16, 2009, Plaintiff filed a request that the attached document and attached affidavit by Thomas Clinton be accepted as evidence. (Docs. 28.) On May 13, 2009, Plaintiff filed a similar motion. (Doc. 30.) As stated in a previous order, the Court does not require the assistance of an amicus curiae in this action. To the extent that Mr. Clinton seeks amicus status, his request is denied.

On July 20, July 23, and July 27 of 2009, Plaintiff filed affidavits with the Court. (Docs. 32,

¹ Plaintiff is a male to female preoperative transgendered individual and refers to herself with feminine pronouns. The Court shall do so as well.

1 34, 35.) On August 10, 2009, Plaintiff filed a request for judicial notice of certain documents, which
2 the Court interprets as another motion for acceptance of evidence. (Doc. 37.) On October 1, 2009,
3 Plaintiff filed two more affidavits with the Court. (Doc. 43, 45.)

4 As previously stated, evidence may not be file with the Court until the course of litigation
5 brings the evidence into question. If this action reaches a juncture at which the submission of
6 evidence is appropriate and necessary (e.g., summary judgment or trial), Plaintiff will have the
7 opportunity at that time to submit her evidence. Plaintiff is warned to refrain from such filings until
8 then as it unnecessarily confuses the court record.

9 This action is still at the pleading stage. While Plaintiff may incorporate exhibits by reference
10 into her amended complaint, Plaintiff is not permitted to continually supplement her amended
11 complaint with additional exhibits/evidence. See Local Rule 15-220.

12 Accordingly, Plaintiff's filings, court docket numbers 27, 28, 30, 32, 34, 35, 37, 43, and 45
13 are HEREBY ORDERED STRICKEN.

14
15 IT IS SO ORDERED.

16 **Dated:** November 9, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE