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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA and)
MARILYN COLLINS, Revenue)
Officer, Internal Revenue Service,)
)
Petitioners,)
)
v.)
)
SHERI I. PROVOST,)
)
Respondent.)
_____)

1:09-cv-00961-AWI-GSA

**ORDER DIRECTING CLERK TO
RETURN UNFILED DOCUMENTS
TO RESPONDENT**

On December 9, 2009, the Court received a set of documents from Respondent via registered mail. This set included the following documents:

- 1. A certified copy of this Court’s November 16, 2009, Order Discharging Order to Show Cause and Findings and Recommendations Regarding Petition to Enforce IRS Summons upon which Respondent has handwritten the following notation: “Accept for settlement and closure upon condition my set-off currently in place or to be placed upon receipt of invoice or current charges will not satisfactorily set-off and close this matter to the satisfaction of the United States” signed and dated by Respondent on December 8, 2009;

- 1 2. Certificate of Service executed by Susan M. Miller, Notary Public;
- 2 3. A letter dated December 8, 2009, and directed to this Court regarding
- 3 “Notice of Set-Off, Settlement and Closure;”
- 4 4. Two separate Affidavits of Individual Surety signed by Respondent and
- 5 notarized by Susan M. Miller;
- 6 5. Reinsurance Agreement for a Miller Act¹ Performance Bond signed by
- 7 Respondent;
- 8 6. Reinsurance Agreement for a Miller Act Payment Bond signed by
- 9 Respondent;
- 10 7. Reinsurance Agreement in Favor of the United States signed by
- 11 Respondent;
- 12 8. Release of Personal Property from Escrow signed by Respondent and
- 13 notarized by Susan M. Miller;
- 14 9. Release of Lien on Real Property signed by Respondent and notarized by
- 15 Susan M. Miller.

16 These documents are not responsive to any Court order or filing by Petitioners, and are
17 not recognizable or proper legal filings. The Court cannot discern Respondent's intent in
18 submitting these documents; the documents cannot be construed as objections to this
19 Court's Findings and Recommendations of November 16, 2009, nor any recent order of
20 this Court. As a result, the documents are HEREBY ORDERED returned unfiled to
21 Respondent.

22
23 IT IS SO ORDERED.

24 **Dated: December 15, 2009**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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¹The purpose of the Miller Act is to protect those who furnish labor and material in performance of a contract for construction of public works. See 40 U.S.C. § 3131. It has no applicability in this matter.