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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT SIMS,

Plaintiff,

v.

GEORGE J. GUIRBINO,

Defendant.

Case: No. 1:09-cv-01850-GBC (PC)

ORDER STRIKING MOTION TO APPOINT
COUNSEL

(Doc. 14)

NO FURTHER FILINGS WILL BE
ACCEPTED IN THIS CLOSED CASE

Robert Sims (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On October 21, 2009, Plaintiff filed his original complaint. (Doc. 1). On June 8, 2011, the Court issued an order to show cause as to why the action should not be dismissed based on failure to exhaust administrative remedies. (Doc. 11). On June 16, 2011, the order was returned as undeliverable and the Court sent out a notice that the change of address was due by August 25, 2011. On September 6, 2011, the action was dismissed for failure to prosecute. (Doc. 12). On October 6, 2011, Plaintiff filed an unsigned motion requesting for the Court to appoint counsel.

Every pleading, written motion, and any other papers submitted to the court must be signed. Local Rule 131; Fed. R. Civ. P. 11(a). As the action has been dismissed Plaintiff’s motion for the appointment of counsel is moot. Moreover Plaintiff’s motion is unsigned, therefore the Court will not consider Plaintiff’s unsigned motion.

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Based on the foregoing, the Court HEREBY ORDERS:

1. Plaintiff's motion for appointment of counsel filed October 6, 2011, is ordered to be STRICKEN due to lack of signature; and
2. No further filings will be accepted in this closed case.

IT IS SO ORDERED.

Dated: October 14, 2011


UNITED STATES MAGISTRATE JUDGE