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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MELVIN JOSEPH SIMMONS,
Plaintiff,
v.
DERAL G. ADAMS, et al.,
Defendants.

Case No. 1:10-cv-01259-LJO-SKO PC
ORDER STRIKING DISCOVERY
RESPONSES
(Doc. 77)

Plaintiff Melvin Joseph Simmons, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on July 14, 2010. This action for damages is proceeding on Plaintiff's amended complaint against Defendant T. Sanders for use of excessive physical force, in violation of the Eighth Amendment of the United States Constitution.

On August 5, 2013, Plaintiff filed his responses to Defendant's discovery requests, which were at issue in Defendant's motion to compel. In granting in part and denying in part Defendant's on June 14, 2013, Plaintiff was ordered to serve Defendant with responses to certain discovery requests. However, those responses are not to be filed with the Court until and unless they become the subject of a new discovery dispute or other proceeding.

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Accordingly, Plaintiff's discovery responses are HEREBY ORDERED STRICKEN from the record.

IT IS SO ORDERED.

Dated: August 12, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE