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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

KELVIN SIMS,

Plaintiff,

vs.

SHERRY LOPEZ, et al.,

Defendants.

1:10-cv-01409 BAM (PC)

ORDER STRIKING PLAINTIFF’S FIRST
MOTION TO EXTEND TIME TO FILE
AMENDED COMPLAINT AND
GRANTING PLAINTIFF THIRTY DAYS
TO EITHER FILE A SIGNED MOTION OR
AN AMENDED COMPLAINT

(ECF No. 14)

_____ /

Plaintiff is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On December 9, 2011, plaintiff filed an unsigned motion to extend time to file an amended complaint. Unsigned documents cannot be considered by the Court, and Plaintiff’s motion shall be stricken from the record on that ground. Fed. R. Civ. P. 11(a); Local Rule 131(b). In order to allow Plaintiff an opportunity to file a signed motion, Plaintiff shall be granted thirty days to file either an amended complaint or a motion for an extension of time.

Accordingly, it is HEREBY ORDERED that within **thirty (30) days** from the date of service of this order, Plaintiff shall either file an amended complaint or a motion for an extension of time. The failure to comply with this order will result in dismissal of this action.

IT IS SO ORDERED.

Dated: December 14, 2011

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE