

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

BENNIE RAY BROWN

Plaintiff,

v.

OFFICER JESS BEAGLEY, et al.,

Defendants.

Case No.: 1:10-cv-01460 JLT

ORDER RETURNING EXHIBITS TO
PLAINTIFF AND DISREGARDING
DISCOVERY DOCUMENTS

(Doc. 42).

On April 12, 2012, Plaintiff filed an Exhibit List with multiple exhibits with the Court. Those exhibits were returned to Plaintiff. On April 17, 2012, Plaintiff re-filed the same Exhibit List and Exhibits with the Court. Plaintiff also included his Response to Defendants Production of Documents with the documents he filed with the Court on April 17, 2012. (Doc. 42).

Plaintiff is reminded that the Court will not rule on the admissibility of evidence unless or until the evidence is submitted in conjunction with a motion to decide an issue in the case (or in opposition to such a motion), a motion in limine (or an opposition to such a motion) or during the actual trial. This means that the Court does not serve as a repository for Plaintiff's evidence and Plaintiff should not file evidence in the form of exhibits or declarations or discovery responses

1 with the Court unless such evidence is submitted with a motion or in opposition to a motion, as
2 described above.

3 Given that Plaintiff's Exhibit List and attached exhibits are not submitted in support of or
4 in opposition to an actual motion to decide an issue in the case (Doc. 77), the Court will return
5 Plaintiff's Exhibit List (filed on April 12, 2012 and April 17, 2012) and disregard Plaintiff's
6 Response to Defendants' Production of Documents.

7 Accordingly, the Court ORDERS the following:

- 8 1. The Court Clerk SHALL return Plaintiff's Exhibit List and attached Exhibits (filed
9 April 12, 2012 and re-filed April 17, 2012) to Plaintiff.
- 10 2. Plaintiff SHALL NOT re-file the returned Exhibit List or attached Exhibits, unless
11 such evidence is submitted in support of a motion and only the specific evidence
12 needed for the motion may be filed, in opposition to a motion, or in response to a Pre-
13 Trial order to do so.

14
15
16 IT IS SO ORDERED.

17 Dated: May 15, 2012

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE