

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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAWN McCULLOUGH,

CASE NO. 1:10-cv-2295-AWI-MJS

Plaintiffs,

ORDER DENYING MISCELLANEOUS
MOTIONS

(ECF Nos. 11 & 13)

v.

FRESNO POLICE DEPARTMENT,

Defendant.

_____ /

Plaintiff Dawn McCullough ("Plaintiff") initiated this action by filing a pro se Complaint on December 20, 2010, and is proceeding in forma pauperis. (ECF No. 1.)

No other parties have appeared in this action.

The Court screened Plaintiff's initial Complaint on March 25, 2011, and dismissed it with leave to amend. (ECF No. 6.) Plaintiff filed a First Amended Complaint on May 2, 2011. (ECF No. 7.) The Court screened Plaintiff's First Amended Complaint and submitted Findings and Recommendations ("F&R") holding that Plaintiff had stated one cognizable claim, but recommending dismissal of other claims and Defendants. (ECF No. 10.) This F&R is still pending review and action by the District Judge. The Court granted

1 Plaintiff's request to file an extension of time to file objections to the F&R (ECF Nos. 12
2 & 14.

3 On May 14, 2012, Plaintiff filed two motions. In the first, she asks that she be
4 allowed to submit a declaration from a deceased eyewitness. (ECF No. 11.) In the second
5 motion, Plaintiff asks that she be allowed to submit medical records from around the time
6 of the underlying incidentt. (ECF No. 13.)

7 The Court has not yet authorized Plaintiff's Complaint to be served. No opposing
8 parties have appeared in this action. Nothing is pending which calls for deposit or
9 presentation of evidence. No party may file evidence with the Court until the course of
10 litigation brings the evidence into question (for example, on a motion for summary
11 judgment, at trial, or when requested by the Court). The Court will not serve as a
12 repository for the parties' evidence (i.e., medical records, declarations, etc.).

13 Accordingly, Plaintiff's motions to submit various documents to the Court are
14 DENIED. (The documents will be returned to Plaintiff.)

15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO ORDERED.

Dated: May 28, 2012

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE