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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PHILLIP SANDERS,	CASE NO. 1:11-cv-184-LJO-MJS
Plaintiff,	ORDER STRIKING MISCELLANEOUS MOTIONS AND AMENDED COMPLAINT
v.	(ECF Nos. 15, 21, 23)
MAGEC METRO TACTICAL TEAM, et al.,	ORDER DIRECTING PLAINTIFF TO FILE AN AMENDED STATUS REPORT
Defendants.	

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Plaintiff Phillip Sanders initiated this action by filing a pro se Complaint on February 9, 2011, accompanied by an application to proceed in forma pauperis. (ECF Nos. 1 & 2.) The Court granted Plaintiff's motion to proceed in forma pauperis. (ECF No. 5.)

Plaintiff's state court prosecution, which arises out of the same factual situation giving rise to this action, is still active. Accordingly, the Court has determined, pursuant to *Younger v. Harris*, 401 U.S. 37, 43-54 (1971), that it must abstain from acting in this case until the state court prosecution is resolved. (Order, ECF No. 7.) Therefore, the Court stayed this action pending resolution of the state court criminal charges against

1 Plaintiff. The Court also ordered Plaintiff to file a report with the Court every ninety-days
2 advising of the status of the criminal case. (Order at 5.)

3 Despite the stay in the action, Plaintiff and Defendant County of Fresno have filed
4 several motions, objections, and documents. Plaintiff has failed to follow the Court's
5 directive to file status reports. Both of these issues are addressed below.
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7 **I. PENDING MOTIONS**

8 _____ Since the Order staying Plaintiff's action was filed, Plaintiff has filed a motion to
9 request monetary sanctions (ECF Nos. 15, 18, 19), a motion to correct docket error (ECF
10 No. 22), and a proposed Amended Complaint (ECF No. 21). In response, Defendant
11 County of Fresno has filed a motion to strike Plaintiff's Amended Complaint. (ECF No. 23.)
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13 Given the current stay in this action, none of these papers were properly filed. The
14 Court hereby ORDERS that all outstanding filings, including, but not limited to, Plaintiff's
15 motion to request monetary sanctions (ECF No. 15), Plaintiff's Amended Complaint (ECF
16 No. 21), and Defendant County of Fresno's motion to strike (ECF No. 23) be STRICKEN
17 from the record.

18 Further, the parties are ORDERED not to file anything further in this action, except
19 the required status reports, until the conclusion of Plaintiff's state criminal proceedings.
20 Any violation of this order will result in sanctions.
21

22 **II. STATUS REPORTS**

23 _____ In response to the Court's order requiring status reports, Plaintiff has filed lengthy
24 papers going far beyond simply informing the Court of the status of his criminal charges.

25 On December 30, 2011, Plaintiff filed a fifteen page document entitled "THIRD STATUS
26 UPDATE REPORT and request to correct court docket error". (ECF No. 22.) The nature
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1 and purpose of the latter document is not clear, but it is **not** a status report.

2 Plaintiff's next status report is due on January 25, 2012. Accordingly, Plaintiff is
3 ORDERED to file a status report on or before **January 25, 2012**, properly captioned and
4 advising the Court whether the subject criminal charges are still pending against Plaintiff,
5 whether the criminal trial has been scheduled and, if so, the scheduled trial date. **The**
6 **report shall contain no other information.** Violation of this Order will result in sanctions.
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11 IT IS SO ORDERED.

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13 Dated: January 9, 2012

1st. Michael J. Seng
14 UNITED STATES MAGISTRATE JUDGE
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