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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

ANDREW A. CEJAS,  
Plaintiff,

v.

MYERS, et al.,  
Defendants.

Case No. 1:12-cv-00271-AWI-DLB PC

ORDER REGARDING PLAINTIFF'S  
REQUEST FOR COURT ORDER  
(Document 119-1)

ORDER DIRECTING CLERK TO FILE  
PAGES 2-13 OF DOCUMENT 119 AS  
MOTION TO COMPEL  
(Document 119-2)

Plaintiff Andrew A. Cejas ("Plaintiff") is a California state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff's Third Amended Complaint for violation of the First Amendment against numerous Defendants.

On November 2, 2015, the Court received a document entitled, "Requesting for an Order to Have the 'Court Clerks' file Plaintiff's motion to compel dated August 27, 2015." Plaintiff suggests that the Clerk is improperly rejecting motions that should be filed, and requests an investigation because the Clerk "may be working with or for the Defendants." ECF No. 119, at 1.

Plaintiff's suggestion is not well-taken. As of the date of this order, the Court has filed three of Plaintiff's motions to compel. However, none of these documents were clearly marked as motions, and they were filed as motions only after further examination by Court staff. If any

1 motions have been returned, it is simply because Plaintiff has not clearly indicated that the  
2 documents were motions. Indeed, the documents that the Court ultimately determined were motions  
3 were titled as “responses to objections” to discovery, which can easily be mistaken for discovery  
4 documents that should not be filed with the Court.

5 Therefore, to ensure that documents meant to be motions are filed as such, Plaintiff must  
6 clearly title the document as a “**Motion**” in the caption of the pleading.

7 Plaintiff attaches what appears to be the August 27, 2015, motion referred to in his filing. It  
8 appears that Plaintiff has now added “Motion to Compel” to the caption. The Clerk is DIRECTED  
9 to file pages 2-13 of Document 119 as a motion to compel.

10  
11 IT IS SO ORDERED.

12  
13 Dated: November 4, 2015

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE