

1 failure to respond appropriately to discovery requests. (ECF No. 173.) Defendants filed a
2 substantive opposition and also argued that the Court should not consider the motion
3 because a Plaintiff represented by counsel may not file motions in propria persona
4 without court permission. (ECF No. 174.)

5 By filing a substantive motion pro se, Plaintiff has engaged in hybrid representation
6 without prior authorization. His purported motion will be stricken.

7 Consideration of pro se motions in this case would defeat the purpose of
8 appointment of counsel and unduly burden the court. A court need not consider pro se
9 motions filed by a party who remains represented by counsel. See United States v. El-
10 Alamin, 574 F.3d 915, 923 (8th Cir. 2009); United States v. Hildreth, 485 F.3d 1120,
11 1125 (10th Cir. 2007); United States v. Vampire Nation, 451 F.3d 189, 206 n. 17 (3rd Cir.
12 2006); Abdullah v. United States, 240 F.3d 683, 686 (8th Cir. 2001); Ennis v. LeFevre,
13 560 F.2d 1072 (2d Cir. 1977); Le v. Almager, No. C 08-03293 SBA, 2013 WL 415632
14 (N.D. Cal. Jan. 31, 2013); United States v. Hoang Ai Le, No. 2:99-cr-433 WBS, No.
15 2:16-cv-1090 WBS AC, 2016 WL 9447193 (E.D. Cal. July 25, 2016). See also see also
16 United States v. Olano, 62 F.3d 1180, 1193 (9th Cir. 1995) (holding that a criminal
17 defendant does not have the right to proceed pro se when represented by counsel).

18 For the foregoing reasons, IT IS HEREBY ORDERED that Plaintiff's pro se
19 request for default judgment (ECF No. 173) is STRICKEN.

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21 IT IS SO ORDERED.

22 Dated: October 10, 2017

/s/ Michael J. Seng
23 UNITED STATES MAGISTRATE JUDGE
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