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

DAVID SAFIDI CAUTHEN,)	Case No.: 1:12cv01747 LJO DLB (PC)
)	
Plaintiff,)	
v.)	ORDER DENYING PLAINTIFF’S
)	MOTION REGARDING EVIDENCE
I. RIVERA, et al.,)	
)	(Document 55)
Defendants.)	
)	
)	
)	

Plaintiff David Safidi Cauthen (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

Plaintiff filed this action on October 26, 2012. On July 15, 2013, the Court ordered that the action proceed on the following claims: (1) excessive force in violation of the Eighth Amendment against Defendants Rivera, Negrete, Northcutt, Arreola, King and Waddle; (2) unreasonable search in violation of the Fourth and Eighth Amendments against Defendants Rivera, Negrete and Waddle; (3) deliberate indifference to a serious medical need in violation of the Eighth Amendment against Defendant Mackey; and (4) violation of the First Amendment and RLUIPA against Defendants Rivera, Negrete and Waddle.

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The action is currently in discovery.

On May 19, 2014, Plaintiff filed a motion entitled, "Motion to Insure Safe Keepings of Plaintiff's Evidence." Plaintiff states that Defendants and others have been threatening to seize evidence and legal documents related to this action. He requests that the Court store his evidence on the docket so that it will be preserved.

Plaintiff's motion came with a stack of original exhibits. The Court sent the exhibits back, as the Court cannot serve as a repository for the parties' evidence. Plaintiff's motion does not change this rule. The parties may not file evidence with the Court until the course of litigation brings the evidence into question (eg., when a motion for summary judgment is filed).

Accordingly, Plaintiff's motion is DENIED.

IT IS SO ORDERED.

Dated: May 30, 2014

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE