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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARIO MARTINEZ ARIAS,
Plaintiff,
v.
A. K. JOHAL, et al.,
Defendants.

Case No. 1:14-cv-00764-LJO-BAM (PC)
ORDER DENYING PLAINTIFF’S MOTION
FOR SUPPLEMENTAL EVIDENCE IN
SUPPORT OF AMENDED COMPLAINT
(ECF No. 44)

Plaintiff Mario Martinez Arias (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action currently proceeds on Plaintiff’s first amended complaint against Defendant Johal for deliberate indifference to serious medical needs in violation of the Eighth Amendment.

On September 27, 2017, Plaintiff filed the instant motion to introduce supplemental evidence in support of the amended complaint. (ECF No. 44.) Defendant did not file a response, and the deadline for filing a response has expired. The motion is deemed submitted. Local Rule 230(l).

In his motion, Plaintiff states merely that he requests permission to add supplemental evidence in support of the amended complaint, and cites to Federal Rule of Civil Procedure 15(d). (ECF No. 44.) Plaintiff attaches various medical records as exhibits, without further explanation of their significance or relevance.

1 As explained in the First Informational Order issued on May 21, 2014, the Court will not
2 serve as a repository for the parties' evidence. (ECF No. 2, p. 3.) Evidence, such as prison or
3 medical records and inmate appeals, need not be submitted until it becomes necessary to do so in
4 connection with a motion for summary judgment, trial, or the Court requests otherwise. (Id.)

5 Defendant Johal filed an answer to the first amended complaint on April 5, 2017, (ECF
6 No. 39), and this case is now in discovery. There are no motions pending that require the
7 submission of evidence, and the Court does not find the submission of evidence necessary at this
8 time.

9 Accordingly, Plaintiff's motion to file supplemental evidence, (ECF No. 44) is HEREBY
10 DENIED.

11 IT IS SO ORDERED.

12 Dated: October 23, 2017

13 /s/ Barbara A. McAuliffe
14 UNITED STATES MAGISTRATE JUDGE

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