

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JEROME LEE CROSS,

Plaintiff,

V.

KINGS COUNTY SHERIFF DEPT., et al.,

Defendants.

Case No. 1:14-cv-01253-JLT (PC)

**ORDER STRIKING PLAINTIFF'S
UNSIGNED SECOND MOTION
FOR RECONSIDERATION OF
DISMISSAL**

(Doc. 12)

Plaintiff, Jerome Lee Cross, is currently in Kings County jail awaiting transfer to state prison and is currently proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on August 11, 2014. (Doc. 1.) This action was dismissed without prejudice as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) on September 8, 2014 and judgment was entered that same date. (Docs. 8, 9.) On September 8, 2014, Plaintiff filed a motion for reconsideration of the dismissal of this action which was denied on October 10, 2014. (Docs. 10, 11.) On February 17, 2015, Plaintiff filed an unsigned second motion for reconsideration indicating that his action is no longer barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) which is before the Court. (Doc. 12.)

All motions and other paper filed with in a federal court "must be signed by at least one attorney of record in the attorney's name -- or by a party personally if the party is unrepresented." Fed. R. Civ. P. 11(a).

1 Accordingly, it is HEREBY ORDERED that Plaintiff's second motion for reconsideration
2 of the order dismissing this action as barred by *Heck v. Humphrey*, 512 U.S. 477 (1994) is
3 STRICKEN from the record and Plaintiff may re-file his motion within thirty (30) days of the
4 date of service of this order.

IT IS SO ORDERED.

Dated: April 21, 2015

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE