

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CHARLES WINDHAM,  
Plaintiff,  
v.  
C. RODRIGUEZ, et al.,  
Defendants. ) Case No.: 1:16-cv-00979-AWI-SAB (PC)  
 ) ORDER STRIKING DECLARATION OF NON-  
 ) PARTY  
 ) (ECF No. 34)  
 )  
 )  
 )

Plaintiff Charles Windham is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 20, 2017, a non-party, inmate Anthony Ivan Bobadilla, filed a declaration “in support of Plaintiff Windham’s pending court case/evidentiary hearing motion” in this matter. (ECF No. 34.) A proof of service made by Plaintiff is attached to the document. (Id. at 5.)

Both the Federal Rules of Civil Procedure and this Court's Local Rules require that all filed pleadings, motions and papers be signed by at least one attorney of record or by the party personally if the party is unrepresented. Fed. R. Civ. P. 11(a); Local Rule 131(b).

There is no pending evidentiary hearing motion in this matter. Further, this document is not signed by an attorney of record or by a party, and as such it will be stricken from the record. Plaintiff is advised that to the extent he would submit evidence in support of a pending request, that evidence

1 should be attached to a proper filing, signed by Plaintiff, that explains what the evidence is and for  
2 what purpose it should be considered.

3 Accordingly, it is HEREBY ORDERED that the Declaration of Anthony Ivan Bobadilla, filed  
4 July 20, 2017 (ECF No. 34), is stricken from the record.

5  
6 IT IS SO ORDERED.

7 Dated: July 21, 2017

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28