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

11 CHARLES WINDHAM,) Case No.: 1:16-cv-00979-AWI-SAB (PC)
12)
13 Plaintiff,) ORDER REGARDING PLAINTIFF'S
14) DECLARATION
15 v.) (ECF No. 36)
16 C. RODRIGUEZ, et al.,)
17 Defendants.)
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18 Plaintiff Charles Windham is a state prisoner proceeding pro se and in forma pauperis in this
19 civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

21 Currently before the Court is Plaintiff's declaration filed July 24, 2017, stating that it is filed in
22 support of this action and Plaintiff's evidentiary hearing motion. (ECF No. 36.) Plaintiff declares that
23 certain habeas corpus law books, a directory of attorneys, and other unnamed files and books have
24 been removed from his cell after a search.

25 There is no pending evidentiary hearing motion in this matter, nor does this declaration appear
26 to relate to any other currently pending motion. As Plaintiff has been just recently informed, to submit
27 evidence in support of a request, the evidence should be attached to a proper filing, signed by Plaintiff,
28 that explains what the evidence is and for what purpose it should be considered.

1 Accordingly, it is HEREBY ORDERED that Plaintiff's declaration filed July 24, 2017, is
2 disregarded at this time.

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4 IT IS SO ORDERED.

5 Dated: July 26, 2017


UNITED STATES MAGISTRATE JUDGE