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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARY LEE GAINES,
Plaintiff,
v.
BROWN, *et al.*,
Defendants.

Case No. 1:16-cv-01666-NONE-BAM (PC)
ORDER ACCEPTING ATTORNEY
CHRISTINE STARKIE’S UNTIMELY
WRITTEN RESPONSE CLARIFYING ROLE
IN INSTANT ACTION
(ECF No. 77)

Plaintiff Mary Lee Gaines (“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 Defendants Mirelez and Hoehing for deliberate indifference to medical needs in violation of the Eighth Amendment.

On February 13, 2020, the Court ordered attorney Christine Starkie to file a written response clarifying her role in this action, as a result of several documents electronically filed on behalf of Plaintiff, who has proceeded *pro se* throughout this case and was therefore required to submit all documents in paper. (ECF No. 73.) Ms. Starkie’s response was due on or before March 5, 2020. (Id.)

On March 13, 2020, Ms. Starkie filed a declaration in response to the Court’s order. (ECF No. 77.) In the declaration, Ms. Starkie clarified the limited-in-scope representation she provided to Plaintiff at the time the documents were electronically filed. Ms. Starkie also requests that the

1 Court accept her untimely-filed declaration, and find that good cause exists for the extension of
2 time due to a recent illness, the irregularity of the Court's request given the length of time
3 between the events at issue and the Court's order, and the fact that the delay was brief and
4 unlikely to cause prejudice. (Id.)

5 Having considered the request, the Court finds good cause to grant the request, and finds
6 that the parties will not be prejudiced by the brief extension granted here. As clarified in Ms.
7 Starkie's declaration, it appears that she has terminated her limited-scope representation of
8 Plaintiff in this action. **Therefore, the Court expects that Plaintiff will not attempt to**
9 **electronically file documents in the future, through Ms. Starkie or any other attorney, so**
10 **long as she continues to proceed pro se in this action.**

11 Accordingly, the Court accepts Ms. Starkie's declaration, (ECF No. 77), as timely filed.
12 Ms. Starkie is relieved of any further obligation to respond to the Court's orders in this action.

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14 IT IS SO ORDERED.

15 Dated: March 17, 2020

16 /s/ Barbara A. McAuliffe
17 UNITED STATES MAGISTRATE JUDGE
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