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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY CLEVELAND,

Plaintiff,

v.

THOMAS C. HUNTON, et al.,

Defendants.

Case No. 1:16-cv-01732-AWI-SAB

ORDER STRIKING FIRST AMENDED
COMPLAINT FOR LACK OF SIGNATURE

(ECF No. 7)

FOURTEEN DAY DEADLINE

Plaintiff Timothy Cleveland filed a complaint in this action on January 16, 2016 that was dismissed for failure to state a claim. On January 23, 2017, Plaintiff Timothy Cleveland filed a first amended complaint in this action. However, Plaintiff's first amended complaint is not signed.

The Federal Rules require that every pleading must be signed by at least one attorney of record or by the party personally if the party is unrepresented. Fedl. R. Civ. P. 11(a); see also Local Rule 131(b) (in relevant part, all pleadings must be signed by the party involved if that party is appearing in propria persona). The Court must strike any unsigned paper unless the omission is promptly corrected. Fed. R. Civ. P. 11(a). Unsigned documents cannot be considered by the Court, and Plaintiff's complaint shall be stricken from the record on that ground. Fed. R. Civ. P. 11(a); Local Rule 131(b).

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. Plaintiff's unsigned first amended complaint, filed January 23, 2017, is
3 STRICKEN FROM THE RECORD;
- 4 2. Plaintiff shall file a first amended complaint within fourteen (14) days from the
5 date of service of this order; and
- 6 3. Failure to file an amended complaint in compliance with this order will result in
7 the recommendation that this action be dismissed.

8 IT IS SO ORDERED.

9 Dated: January 24, 2017

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11 _____
12 UNITED STATES MAGISTRATE JUDGE