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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT J. RODRIGUEZ,
Plaintiff,
v.
DON PENNER, et al.,
Defendants.

Case No. 1:17-cv-00204-DAD-SAB
ORDER STRIKING PLAINTIFF’S REPLY
FROM THE RECORD
(ECF No. 3)

On February 13, 2017, Plaintiff Robert J. Rodriguez filed a complaint in this action, but did not pay the filing fee or file an application to proceed without prepayment of fees. On February 15, 2017, an order issued providing Plaintiff with thirty days in which to file an application to proceed without prepayment of fees or pay the filing fee. On March 3, 2017, Plaintiff filed a “reply” to the order in which he returned the order “for its value for discharge and settlement of the accounting.” Plaintiff’s reply, filed March 3, 2017 shall be stricken from the record as it is not responsive to the February 15, 2017 order.

Plaintiff’s filing also contains archaic legal verbiage, commonly associated with the common law pleading practice that serves no purpose in modern pleading practice. Plaintiff is advised that common law pleading and procedural practice has long been abolished by the adoption of the Federal Rules of Civil Procedure in 1937, and it is no longer necessary to recite archaic and complex legal terms in pleadings filed with the Court. See 5 Charles Alan Wright &

