

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CAIN A. GONZALES,  
Plaintiff,  
v.  
CITY OF CLOVIS, et al.,  
Defendants.

CASE NO. 1:17-cv-00282-LJO-MJS (PC)  
**ORDER STRIKING UNSIGNED  
COMPLAINT AND GRANTING LEAVE TO  
FILE A SIGNED PLEADING WITHIN  
THIRTY DAYS**  
**(ECF NO. 1)**

This action was initiated on February 27, 2017 with the filing of what appears to be a civil rights complaint brought pursuant to 42 U.S.C. § 1983. The complaint is 62 pages long and made up a diverse group of documents: a partially completed complaint form, several non-consecutives pages of what appear to be a hand-written complaint, an incomplete set of hand written notes appearing to pertain to the claims at issue, typed pages appearing to include excerpted materials from another civil rights case brought by Plaintiff, and love notes from someone named Tara to someone named Jason.

As constituted the Complaint does not present a cognizable cause of action. More importantly, it is unsigned. This is particularly significant in this instance

1 because the motion to proceed in forma pauperis in this action was not filed by Plaintiff,  
2 but instead by someone named Tara Jones, a non-party. Thus, there is nothing before  
3 the Court to indicate that Plaintiff has participated in the filing of this action or even is  
4 aware of its existence.

5 The court is required to strike an unsigned pleading unless the omission is  
6 promptly corrected. Fed. R. Civ. P. 11(a). Accordingly, it is HEREBY ORDERED that:

- 7 1. Plaintiff's complaint is STRICKEN.
- 8 2. Plaintiff shall file a signed coherent pleading within thirty days of the date of  
9 service of this order.
- 10 3. If Plaintiff fails to comply with this order, the undersigned will recommend  
11 the action be dismissed.

12  
13 IT IS SO ORDERED.

14 Dated: March 7, 2017

*/s/ Michael J. Seng*  
15 UNITED STATES MAGISTRATE JUDGE

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28