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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DERWIN BUTLER, SR.,
Plaintiff,
v.
ESCAMILLA, et al.,
Defendants.

CASE NO. 1:17-cv-00623-MJS (PC)
**ORDER REGARDING MISCELLANEOUS
FILING
(ECF No. 16)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. On June 13, 2017, the Court dismissed Plaintiff's first amended complaint, but gave him leave to amend. (ECF No. 11.) Plaintiff filed a second amended complaint on July 5, 2017. (ECF No. 17.) It awaits screening by the Court..

On June 19, 2017, Plaintiff submitted copies of various medical records to the Court via a letter which did not explain his purpose or intent in doing so.

To the extent Plaintiff intends these documents to supplement his complaint, Local Rule 220 requires that a complaint be complete in itself without reference to any prior pleading. The Court will not consider these documents when screening Plaintiff's

1 second amended complaint. If Plaintiff believes his second amended complaint is
2 deficient, he must seek and obtain leave to amend.

3 To the extent Plaintiff intends the proffered documents to be used as evidence to
4 help prove his claims, the Court cannot and will not serve as a repository for evidence.
5 Parties may not file evidence with the Court until the course of litigation brings the
6 evidence into question (for example, on a motion for summary judgment, at trial, or when
7 requested by the Court). Plaintiff's second amended complaint has not yet been
8 screened, no motions for summary judgment are before the Court, and no trial date has
9 been set. In this circumstance, (e.g., prison or medical records, affidavits, declarations,
10 etc.).

11 Since Plaintiff's filing is not, and does not relate to, a motion or an amendment to
12 a pleading or anything else properly before the Court at this time, it will not be
13 considered. Further such submissions will be rejected and the attempt to file same may
14 subject Plaintiff to sanctions.

15 Based on the foregoing, it is HEREBY ORDERED that Plaintiff's miscellaneous
16 filing (ECF No. 16) be disregarded.

17 IT IS SO ORDERED.

18
19 Dated: September 10, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE