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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AURORA CERVANTES,
Plaintiff,
v.
DARREL ENG,
Defendant.

No. 1:17-cv-01771-DAD-MJS
ORDER STRIKING ANSWER
(Doc. No. 4)

On March 12, 2018, an answer was filed in this action, purportedly on behalf of defendant Darrel Eng. (Doc. No. 4.) That answer was signed by Erik Barbic, who is not a named defendant in this action and does not appear to be an attorney.

Pursuant to Rule 11(a) of the Federal Rules of Civil Procedure, any pleading must be signed by “at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented.” Local Rule 131 further provides that “[t]he name, address, telephone number, and the California State Bar membership number of all attorneys . . . shall appear in the upper left-hand corner of the first page of each document presented for filing.”

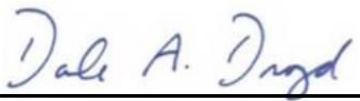
Here, it is unclear what relationship Mr. Barbic has with defendant Eng and what authority Mr. Barbic has to appear in court on behalf of defendant Eng. Absent some indication that the answer was filed by an attorney or an individual with authority to appear pro se on behalf of defendant Eng in this action, the answer cannot be considered by the court.

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Accordingly, the answer (Doc. No. 4) is hereby stricken without prejudice to its re-filing in the event the above stated requirement can be met.

IT IS SO ORDERED.

Dated: March 12, 2018


UNITED STATES DISTRICT JUDGE