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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GABRIEL MARTINEZ,
Plaintiff,
v.
AMY LOPEZ, et al.,
Defendants.

Case No. 1:18-cv-00221-DAD-SAB
ORDER DISREGARDING PLAINTIFF’S
NOTICE AND NOTICE OF RULES OF
COURT-DUE PROCESS
(ECF No. 6, 7)

Plaintiff Gabriel Martinez is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On March 7, 2018, Plaintiff filed two notices in this action. (ECF Nos. 6, 7.)

Plaintiff’s first notice states that orders and judgments must be signed in wet blue ink with no rubber stamps to be accepted as authentic. (ECF No. 6 at 1.) Pursuant to the Local Rules of the Eastern District of California, orders are electronically signed by the assigned Judge, Magistrate Judge or their designee and have the same force and effect as if the Judge or Magistrate Judge had signed a paper copy of the order. L.R. 137(d). There is no merit to Plaintiff’s contention that orders must be signed in wet blue ink to be accepted as authentic.

Plaintiff also states that the defendants must respond within twenty-one days after service of this notice of this action and request a common law court to empanel a common law jury of twenty five indigenous free men to hear the case against him. Plaintiff further states that failure

1 to notify him and register a dispute against this lawful notice will result in automatic default
2 judgment and permanent, irrevocable estoppel by acquiescence, barring the bringing of charges
3 under any statute or regulation against him or his family. (ECF No. 6 at 1.)

4 Plaintiff's notice has no legal affect and will be disregarded. Plaintiff has no right to
5 request a common law jury be empaneled nor can he create a binding obligation on another
6 individual by serving them with his notice and stating that a lack of response is acquiescence.

7 Plaintiff's second notice is entitled "Rules of Court-Due Process. (ECF No. 7.) The
8 notice states that the defendants shall not be granted summary judgment, will have the right to
9 due process, will enjoy the right to a speedy trial and public trial by a competent or not jury and
10 to be confronted by the witnesses against them. (ECF No. 7.) The rights of the parties in this
11 action cannot be conferred by Plaintiff but are established by the United States Constitution,
12 federal rules, and the Local Rules of the Eastern District of California. Plaintiff's notice of Rules
13 of Court-Due Process is disregarded.

14 Based on the foregoing, the notice (ECF No. 6) and notice of rules of court –due process
15 (ECF No.7) filed on March 7, 2018 are **HEREBY DISREGARDED.**

16
17 IT IS SO ORDERED.

18 Dated: **March 8, 2018**



UNITED STATES MAGISTRATE JUDGE