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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

RICHARD A. EVANS,  
Plaintiff,  
v.  
LISA CARLOCK, et al.,  
Defendants.

Case No. 1:18-cv-00440-DAD-BAM  
ORDER STRIKING PLAINTIFF’S UNSIGNED  
MOTION FOR DISCOVERY  
(Doc. No. 14.)

Plaintiff Richard A. Evans (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 6, 2019, Plaintiff filed a motion for discovery requesting that the Court issue an order “to Obtain [Plaintiff’s] Personal Laptop[,]” which he contends is currently in the custody of the Suisun City Police Department, in order to obtain evidence to assist Plaintiff in prosecuting this case. (Doc. No. 14.) However, the motion is not signed. Each document submitted for filing must be signed by the filing party pursuant to Federal Rule of Civil Procedure 11(a) and Local Rule 131(b). Unsigned filings cannot be considered by the Court, and therefore the filing will be stricken. Fed. R. Civ. P. 11(a); Local Rule 131.

To the extent Plaintiff intends to resubmit a signed motion for discovery that complies with the Federal Rules of Civil Procedure and the Local Rules, the Court further cautions Plaintiff that motions for discovery are premature. The Court has screened Plaintiff’s complaint and determined

1 that it is subject to dismissal. (Doc. No. 4.) The Court's findings and recommendation of dismissal  
2 have been submitted to the United States District Judge assigned to this case pursuant to the  
3 provisions of 28 U.S.C. § 636(b)(1) and are currently pending review. (*Id.*) The complaint has not  
4 been ordered served, no defendants have appeared, and discovery has not been opened.

5 Accordingly, it is HEREBY ORDERED that Plaintiff's Motion for Discovery filed May 6,  
6 2019 (Doc. No. 14) is STRICKEN from the record for lack of signature.

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8 IT IS SO ORDERED.

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10 Dated: May 10, 2019

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

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