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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLARENCE A. GIPBSIN,

Plaintiff,

No. CIV S-07-0157 MCE EFB P

vs.

SCOTT KERNAN, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On October 28, 2009, plaintiff filed a request for production of documents and request for admissions. On November 2, 2009, plaintiff filed additional requests for production of documents and requests for admissions.

The court has repeatedly warned plaintiff that interrogatories, requests for production, requests for admission, responses and proofs of service thereof “shall not be filed with the clerk until there is a proceeding in which the document or proof of service is at issue. When required in a proceeding, only that part of the request and response that is in issue shall be filed.” Local Rules 33-250(c), 34-250(c) & 36-250(c). *See also* Nov. 24, 2008 Order; June 10, 2009 Order. Plaintiff’s continued failure to comply with the court’s orders will result in a recommendation that this action be dismissed pursuant to Fed. R. Civ. P. 41(b).

1 Plaintiff's October 28, 2009 and November 2, 2009 requests for production of documents
2 and requests for admissions are stricken and the Clerk of the Court shall make a notation on the
3 docket to that effect.

4 So ordered.

5 DATED: November 4, 2009.


6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
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