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

MICHAEL BAZLEY,

Plaintiff,

No. CIV S-10-1343 LKK EFB P

vs.

M. GATES, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel and in forma pauperis in an action brought under 42 U.S.C. § 1983. This order addresses plaintiff’s December 30, 2010, January 4, 2011 and January 6, 2011 filings. Dckt. Nos. 24, 25, 26, 27.

On December 30, 2010, plaintiff filed a motion to “have defendants responsive pleading stricken from the record and entry of default by the clerk.” Dckt. No. 24. Because there is no basis for striking defendants’ December 19, 2010 answer from the record or for entering default, plaintiff’s motion is denied. *See* Fed. R. Civ. P. 12(f); Fed. R. Civ. P. 55. *See also* Dckt. No. 22 (denying plaintiff’s earlier filed request for entry of default).

On January 6, 2011, plaintiff filed a declaration and opposition to defendants’ answer. Dckt. Nos. 26, 27. Neither the Federal Rules of Civil Procedure nor this court’s local rules authorize such filings. The court will therefore disregard them. *See* Fed. R. Civ. P. 7(a) (listing

1 allowed pleadings, and providing that a reply to an answer is proper only “if the court orders
2 one”).

3 Finally, on January 4, 2011, plaintiff filed a motion “for production/discovery for Receipt
4 of U.S. Marshal Certification of Services.” Dckt No. 25. Plaintiff must direct any requests for
5 discovery directly to defendants, and not to the court. Interrogatories, requests for production,
6 requests for admission, responses and proofs of service thereof “shall not be filed with the clerk
7 until there is a proceeding in which the document or proof of service is at issue. When required
8 in a proceeding, only that part of the request and response that is in issue shall be filed.” E.D.
9 Cal. Local Rules 250.2-250.4. Accordingly, plaintiff’s January 4, 2011 request for production of
10 documents is stricken and the Clerk of the Court shall make a notation on the docket to that
11 effect.

12 So ordered.

13 DATED: February 15, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE