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

MICHAEL MCCUNE,

Plaintiff,

No. CIV S-10-2207 FCD GGH PS

vs.

SATNAM SINGH,

Defendant.

ORDER

_____/

On September 16, 2010, defendant filed a document entitled, “application for stay and early evaluation conference per Civil Code 55.54.” That document was not served on plaintiff. Defendant is advised that every document submitted to the court for consideration must be served on plaintiff. Fed. R. Civ. P. 5. Documents not to be served electronically are usually served by placing a copy in the U.S. mail. If an attorney has filed a document with the court on behalf of any plaintiff, then documents submitted by defendant must be served on that attorney and not on the plaintiff. Every document submitted conventionally to the court (e.g., by a pro se party) must include a certificate stating the date an accurate copy of the document was mailed to plaintiff or his attorney and the address to which it was mailed. See Local Rule 135(b) and (c).

Accordingly, IT IS HEREBY ORDERED that defendant’s September 16, 2010 application for stay and early evaluation conference, (dkt. no. 6), is denied without prejudice.

1 Defendant is cautioned that failure to properly serve any documents subsequently filed in this
2 action, and failure to include a proper certificate of service with such filing, may result in
3 sanctions.

4 DATED: September 21, 2010

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6 /s/ Gregory G. Hollows

7 UNITED STATES MAGISTRATE JUDGE

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