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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MACK A. WEST,
Plaintiff,
v.
RYAN PETTIGREW, et al.,
Defendants.

No. 2:11-cv-1692 JAM CKD P

ORDER

Prisoner is a state prisoner proceeding pro se in this action pursuant to 28 U.S.C. § 1983. Before the court is plaintiff’s April 11, 2014 motion for order “re contempt of court.” (ECF No. 138.) This motion is duplicative of plaintiff’s February 22, 2014 motion requesting that the court hold California Medical Facility in contempt for not providing plaintiff items he requested in a subpoena. (See ECF No. 122.) The court denied this and related motions on March 27, 2014, stating that plaintiff’s subpoena was improperly served and did not comply with an earlier court order requiring plaintiff to “send any subpoenas directed at CMF to the United States Marshal Service so that it may serve the documents on plaintiff’s behalf.” (ECF No. 130 at 6, citing ECF No. 100 at 2.) Since that order issued, the docket of this action does not indicate that the United States Marshal has served a subpoena on CMF on plaintiff’s behalf. Thus the instant motion is frivolous and will be denied.

Moreover, plaintiff’s filing of frivolous motions is a burden on this court and impedes the proper prosecution of this action. Plaintiff’s future filings shall therefore be limited as set forth

1 below.

2 Accordingly, IT IS HEREBY ORDERED THAT:

3 1. Plaintiff's April 11, 2014 motion for order re contempt of court (ECF No. 138) is
4 denied; and

5 2. Plaintiff may only file the following documents:

6 a. One dispositive motion, limited to one memorandum of points and authorities
7 in support of the motion and one reply to any opposition;

8 b. One opposition to any motion filed by defendants (and clearly titled as such);

9 c. Only one non-dispositive motion pending at any time. Plaintiff is limited to one
10 memorandum of points and authorities in support of the motion and one reply to any
11 opposition; and

12 d. One set of objections to any future findings and recommendations.

13 Failure to comply with this order shall result in improperly filed documents being stricken
14 from the record and may result in a recommendation that this action be dismissed.

15 Dated: April 28, 2014



16 CAROLYN K. DELANEY
17 UNITED STATES MAGISTRATE JUDGE

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