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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE THIEL PAYNE,

 Plaintiff,

 v.

MARTIN, et al.,

 Defendants.

No. 2:11-cv-1970-TLN-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On May 30, 2014, the court directed plaintiff to file a pretrial statement within 30 days. ECF No. 73. On June 25, 2014, the court granted plaintiff a 45-day extension of time to file his pretrial statement. ECF No. 75. On July 1, 2014, plaintiff filed a document purporting to be a pretrial statement. ECF No. 77. That filing, however, fails to comply with the court’s order or this court’s Local Rules. For example, plaintiff does not identify which facts he disputes, and which facts he does not dispute. He also fails to clearly indicate whether he has any exhibits or witnesses to present at trial. Without this information, defendant cannot properly prepare his own pretrial statement.

In accordance with the above, IT IS HEREBY ORDERED that:


- 1. Plaintiff’s “pretrial statement” (ECF No. 77) is disregarded.

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- 2. Plaintiff shall file a pretrial statement in accordance with the court's orders and the Local Rules within 30 days from the date of this order. Plaintiff is again cautioned that failure to file a pretrial statement in accordance with this order may result in the imposition of sanctions, including the exclusion of witnesses or exhibits at trial, or dismissal of this action.
- 3. Defendant shall file a pretrial statement not later than thirty days after the filing of plaintiff's statement.

DATED: July 3, 2014.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE