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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE THAO,

Petitioner,

v.

SWARTHOUT,

Respondent.

No. 2:13-cv-1562-EFB P

ORDER

Petitioner is a state prisoner proceeding without counsel seeking a writ of habeas corpus. See 28 U.S.C. § 2254. On October 8, 2013, the court dismissed the petition with leave to amend. ECF No. 6. On November 8, 2013, petitioner filed an amended petition. ECF No. 7. However, the court cannot conduct the required review of the amended petition because petitioner has not signed it. Rule 11 of the Federal Rules of Civil Procedure requires that “[e]very pleading, written motion, and other paper . . . be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a). Because petitioner did not sign the amended petition, it will be disregarded.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Clerk of the Court shall strike the amended petition (ECF No. 7) from the docket.

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2. Within thirty days, plaintiff shall file a signed, amended petition using the form employed by this court and stating all claims and prayers for relief. It must bear the case number assigned to this action and must bear the title "Amended Petition."
3. Petitioner is cautioned that failure to file an amended petition pursuant to this order may result in the dismissal of this action.
4. The Clerk is directed to send petitioner the court's form for applications for writ of habeas corpus.

DATED: December 12, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE