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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
APPROXIMATELY \$200,979.15, et al.,
Defendants.

No. 2:14-cv-2950 MCE CKD

ORDER

Claimant Matthew Gillum has filed fourteen motions in the past 41 days. The multiplicity of claimant’s filings are a burden on both the court and plaintiff and impede the proper prosecution of this action. Claimant’s future filings shall therefore be limited.

Claimant has moved to declare himself incompetent. In a related criminal matter, USA V. Gillum, 2:13-cr-0393 MCE (E.D. Cal.), the United States has requested that the Court inquire into the defendant’s competency prior to the initiation of the sentencing hearing in the criminal matter, currently set for October 1, 2015 before the District Judge. See ECF Nos. 89, 90. This court will accordingly defer ruling on claimant’s incompetency motion pending conclusion of the sentencing hearing in the criminal matter.

Claimant has also filed a variety of motions requesting various forms of relief including a request for appointment of expert, request for ruling, request for appointment of a guardian ad litem, request to stay, request for issuance of a subpoena, motion to join four actions, motion to

1 release \$100,000, and motion for appointment of counsel. The motions are either duplicative of
2 claimant's incompetency motion or are meritless and will therefore be summarily denied.

3 Claimant has already filed two oppositions to the currently pending plaintiff's motion to
4 strike claimant's answer. ECF Nos. 27, 39. Under the order filed September 14, 2015 (ECF No.
5 37), claimant was granted an extension of time until October 21, 2015 to file opposition. The
6 court will accordingly disregard claimant's previously filed "opposition" because it appears these
7 opposition papers were incomplete.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. Claimant may only file the following documents:

10 a. One opposition to any motion filed by plaintiff (and clearly titled as such);

11 b. Only one motion pending at any time. Claimant is limited to one memorandum
12 of points and authorities in support of the motion and one reply to any opposition. Claimant is
13 reminded that he currently has a motion pending to declare claimant incompetent; and

14 c. One set of objections to any findings and recommendations.

15 Failure to comply with this order shall result in improperly filed documents being stricken
16 from the record and may result in the imposition of sanctions on claimant.

17 2. The court defers ruling on claimant's incompetency motion (ECF No. 40) pending
18 conclusion of the sentencing hearing in the criminal matter, case no. 2:13-cr-0393 MCE. Within
19 seven days after conclusion of the sentencing hearing, plaintiff shall file a status report advising
20 the court of the District Court's findings regarding claimant's competency.

21 3. Claimant's motions (ECF Nos. 34, 35, 41, 42, 43, 46, 47, 48) are denied.

22 4. Claimant's opposition papers to the motion to strike (ECF Nos. 27, 39) are disregarded.

23 Any argument, points and authorities, or evidence claimant intends to file in support of his

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1 opposition to the motion to strike must be submitted in one complete document, to be filed no
2 later than October 21, 2015. Piecemeal submissions will not be accepted by the court and will be
3 stricken from the record.

4 Dated: September 30, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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