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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER F. HERINA,
Plaintiff,
v.
BUTTE COUNTY SUPERIOR COURT,
et al.,
Defendants.

No. 2:16-cv-2956-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. In addition to filing an application for leave to proceed in forma pauperis, he has filed an unsigned complaint.

Federal courts must engage in a preliminary screening of cases in which prisoners seek redress from a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The court must identify cognizable claims or dismiss the complaint, or any portion of the complaint, if the complaint “is frivolous, malicious, or fails to state a claim upon which relief may be granted,” or “seeks monetary relief from a defendant who is immune from such relief.” *Id.* § 1915A(b).

The court cannot conduct the required screening of plaintiff’s complaint because plaintiff has not signed it. *See* ECF No. 1. 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

1 in the attorney's name—or by a party personally if the party is unrepresented.” Fed. R. Civ. P.
2 11(a). Because plaintiff did not sign the complaint (ECF No. 1), it will be disregarded. Within
3 thirty days, plaintiff may file a complaint that is signed. Failure to comply with this order may
4 result in an order of dismissal.

5 So ordered.

6 Dated: January 26, 2017.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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