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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL SALDANA,
Plaintiff,
v.
M.E. SPEARMAN, et al.,
Defendants.

No. 2:18-cv-0319 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983, has filed a motion to strike defendant’s corrected declaration on the ground that it was untimely. ECF No. 67.

The court ordered defendant to file a properly signed declaration within seven days of the service of the order. ECF No. 65. Although the order was signed on May 3, 2021, it was not filed and served until May 4, 2021. Id. That was the trigger date for the seven-day period to file. Consequently, defendant’s declaration, filed on May 11, 2021, ECF No. 66, was timely filed.

Accordingly, IT IS HEREBY ORDERED that plaintiff’s motion to strike, ECF No. 67, is DENIED.

DATED: May 28, 2021


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE