

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO YATES,
Plaintiff,

v.

WEST CONTRA COSTA UNIFIED
SCHOOL DISTRICT,
Defendant.

Case No. [16-cv-01077-MEJ](#)

**ORDER DENYING MOTION FOR
SUMMARY JUDGMENT**

Re: Dkt. No. 12

On March 29, 2016, Plaintiff Fernando Yates filed a Motion for Summary Judgment. Dkt. No. 12. Plaintiff did not comply with Civil Local Rule 7-2(a), which requires that all motions be filed, served on the opposing party, and noticed in writing on the motion calendar of the assigned judge for hearing not less than 35 days after service of the motion. Further, the Court only recently granted Plaintiff's in forma pauperis application – there is no indication Defendant West Contra Costa Unified School District has been served, and it therefore is unlikely to have an opportunity to respond to Plaintiff's motion. Regardless, Plaintiff provides no evidence in support of his motion and for all these reasons, the motion is DENIED.

IT IS SO ORDERED.

Dated: March 31, 2016



MARIA-ELENA JAMES
United States Magistrate Judge

United States District Court
Northern District of California

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CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 31, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Fernando Yates
2840 Ruff Avenue
Pinole, CA 94564

Dated: March 31, 2016

Susan Y. Soong
Clerk, United States District Court

By. 
Chris Nathan, Deputy Clerk to the
Honorable MARIA-ELENA JAMES