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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WENDY JONES,
Plaintiff,
v.
JEREMY JAMES, et al.,
Defendants.

Case No. 14-cv-02763-KAW
ORDER STRIKING PLAINTIFF'S
DOCUMENTS
Dkt. Nos. 6-8

On June 24, 2014, the Court dismissed Plaintiff Wendy Jones’s complaint with leave to amend, because her complaint failed to provide any facts upon she seeks relief. (Dkt. No. 5.) Based on the defendants named, and Plaintiff’s residence, however, it appeared that this action may have been filed in the wrong U.S. District Court, as all of the parties and the incident appear to be located in the U.S. District Court for the Eastern District of California. *Id.*

Thus, the Court asked Plaintiff to determine whether she had filed the case in the proper district court, and, if so, gave her until July 31, 2014 to file an amended complaint. *Id.* If Plaintiff filed her case in the wrong district, the Court advised that she file a voluntary dismissal in this case and refile her case in the Eastern District where venue is proper. *Id.*

On July 7, 2014, Plaintiff filed three documents, one of which appears to be an attempt at an amended complaint. (Dkt. No. 6.) In fact, it is not an amended complaint, but merely a cover sheet with an attached declaration filed in Tuolumne County Superior Court in a juvenile court action involving Plaintiff’s minor daughters. *Id.* Plaintiff also filed a letter stating that she “would be adding a list of requirements done to me shortly following this letter.” (Dkt. No. 8.) These are not amended complaints, and, therefore, are stricken.

Additionally, Plaintiff filed an affidavit in support of her application to proceed *in forma*

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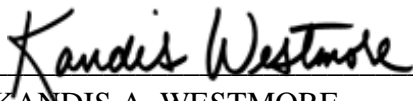
pauperis. (Dkt. No. 7.) Plaintiff's IFP application, however, was granted by the undersigned on June 24, 2014, so any further information is not required. (*See* Order granting IFP application, Dkt. No. 4.) Thus, this document is also stricken as an improper court filing.

Accordingly, document numbers 6-8 are stricken, but Plaintiff may still file her amended complaint by **July 31, 2014**. The caption on the first amended complaint should be "First Amended Complaint." In addition, Plaintiff is a "plaintiff" rather than a "prosecutor," and the adverse parties named are "defendants" rather than "wrongdoers." Again, Plaintiff's amended complaint should not include her social security number, fingerprints or postage stamps, and need not be notarized. Also, if Plaintiff has a parallel state court action pending involving the same facts and allegations, she should not be filing a case in federal court.

As previously provided, if Plaintiff's action is improperly venued in the Northern District, she should file a voluntary dismissal and refile her case in the U.S. District Court for the Eastern District of California. If Plaintiff fails to do so, the case may be transferred to the Eastern District on the Court's own motion without her consent.

IT IS SO ORDERED.

Dated: July 18, 2014



KANDIS A. WESTMORE
United States Magistrate Judge