

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

**ANTHONY C. MARTIN,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **FORT WAYNE POLICE** )  
 **DEPARTMENT, et al.,** )  
 )  
 **Defendants.** )

**Case No. 1:11-cv-348**

**OPINION AND ORDER**

This 42 U.S.C. § 1983 case filed by *pro se* Plaintiff Anthony Martin was removed here from Allen Superior Court by Defendants on October 6, 2011. (Docket # 2.) Martin’s removed state court complaint, however, is unsigned. (Docket # 1.) Consistent with Federal Rule of Civil Procedure 11, Plaintiff is notified that his state court complaint will be STRICKEN unless he files a signed amended complaint on or before November 1, 2011. *See* Ind. Trial Rule 11(A) (“If a pleading or motion is not signed . . ., it may be stricken as sham and false and the action may proceed as though the pleading had not been served.”); *see, e.g., Clark v. Countrywide Home Loans*, No. 09-CV-01998-OWW-GSA, 2010 WL 697232 (E.D. Ca. Feb. 25, 2010) (notifying plaintiff that his unsigned, removed state court complaint was subject to being stricken and directing him to file a signed amended complaint). The signed amended complaint will then become the operative pleading in this case.

SO ORDERED. Entered this 7th day of October, 2011.

/S/ Roger B. Cosby  
Roger B. Cosby,  
United States Magistrate Judge