

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 21, 2017**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AARON JOSEPH CUNNINGHAM ,

Plaintiff,

v.

DEA OFFICER JOHN DOES 1 and 2,  
CC2 CASEY POTTS, CC2 G.  
ROBINSON, CC2 MEDUDIS, CC2  
M.S. ODEM, CC2 JAMES ROGERS,  
UM T. MINK, AA2 RACHEL  
SMITH, LT. M. BATES, CPM  
LONNIE ROBERTS,  
SUPERINTENDENT DON  
HOLBROOK, C/O PIERCE, C/O K.  
WALKER, and THE DEPARTMENT  
OF CORRECTIONS,

Defendants.

NO: 4:17-CV-05087-SMJ

**ORDER DENYING MOTION FOR  
SUMMARY JUDGMENT**

BEFORE THE COURT without oral argument is Plaintiff's Motion for Summary Judgment, ECF Nos. 7 and 9. An initial, unsigned version was received on August 2, 2017. A signed version was received on August 4, 2017, as well as the signed signature page sent to Plaintiff with a deficiency notice on August 2,

**ORDER DENYING MOTION FOR SUMMARY JUDGMENT -- 1**

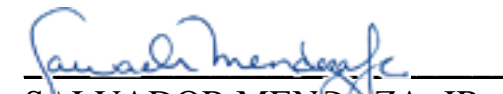
1 2017, ECF No. 10. Plaintiff also submitted a letter and exhibits in support of his  
2 Motion. ECF Nos. 11 and 12.

3 Plaintiff is proceeding *pro se* and *in forma pauperis*. Defendants have not  
4 been served in this action and are not required to file an answer to Plaintiff's  
5 complaint or to respond to his motions.

6 By separate Order the Court has advised Plaintiff of the deficiencies of his  
7 Complaint and directed him to amend or voluntarily dismiss. Therefore, his  
8 Motion for Summary Judgment is premature. Accordingly, the Motion, **ECF Nos.**  
9 **7 and 9**, is **DENIED**.

10 **IT IS SO ORDERED.** The Clerk of Court is **DIRECTED** to enter this  
11 Order and forward a copy to Plaintiff.

12 **DATED** this 21st day of November 2017.

13   
14 SALVADOR MENDOZA, JR.  
15 United States District Judge