

1 complaint. Plaintiff was reminded that he is not proceeding *in forma pauperis* and he had the
2 duty to serve the new defendants.

3 On March 18, 2009, the unsigned motion for an extension of time was received. The
4 certificate of service is signed by a Mr. Thomas R. Hargrove, an inmate at the Monroe
5 Correctional Complex (Dkt. # 25). Mr. Hargrove is not a party to this action. Mr. Hargrove
6 appears to be preparing pleadings for plaintiff. Plaintiff is housed out of state at the CCA Prairie
7 Correctional Facility in Appelton Minnesota. The reason given for the extension of time is that
8 Mr. Hargrove is doing the legal work for Mr. Novak and mail between the two facilities takes
9 time.
10

11 Fed. R. Civ. P. (11) in pertinent part States:

12 An unsigned paper shall be stricken unless omission of the signature is corrected
13 promptly after being called to the attention of the attorney or party.

14 Mr. Hargrove cannot sign or submit pleadings for Mr. Novak. Mr. Novak will be given until
15 **April 17, 2009**, to submit a signed motion for an extension of time to file an amended complaint
16 and a signed copy of the amended complaint.

17 If no signed motion or signed amended complaint are received the Court will proceed
18 with the original scheduling order and the original complaint will become the final complaint in
19 this action.
20

21 The clerk's office is directed to send a copy of this order to plaintiff, note the **April 17,**
22 **2009**, deadline on the Court calendar and remove the March 19, 2009, deadline for filing an
23 amended complaint from the Court calendar.

24 DATED this 25, day of March, 2009.

25 /s/ J. Richard Creatura
26 J. Richard Creatura
United States Magistrate Judge