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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL STEVEN NOVAK,

Plaintiff,

v.

JAMES THATCHER,

Defendant.

No. 08-5711BHS/JRC

ORDER

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrate Judges’ Rules MJR 1, MJR 3, and MJR 4. The plaintiff, apparently acting through a non party, has been submitting unsigned pleadings in violation of Fed. R. Civ. P. 11.

In January of this year plaintiff sought leave of court to add four defendants to this action (Dkt. # 14). In February, the motion was granted and plaintiff was given over a month to provide an amended complaint (Dkt # 24). Beginning on April 13, 2009, the court started

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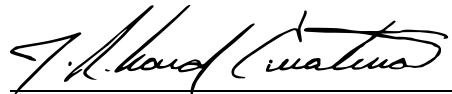
1 receiving unsigned pleadings (Dkt # 25, 26, 32, and 33). These pleadings have been prepared by
2 Thomas R. Hargrove (Dkt # 30). Mr. Hargrove is not a party to this action. The court has no
3 information showing that Mr. Hargrove is an attorney. The filings will not be considered by the
4 court unless a declaration is being submitted in support or in opposition to an otherwise properly
5 filed motion. Furthermore, Plaintiff and Mr. Hargrove should be alerted that the filing of
6 pleadings by someone who is not an attorney, yet purporting to represent the plaintiff may be
7 considered practicing law without a license and the offending person may be subject to severe
8 sanctions and penalties.
9

10 By this court's previous order (Dkt #27), Plaintiff Novak was advised: that if no signed
11 motion or signed amended complaint was received by April 17, 2009, the court would proceed
12 with the original complaint. As of today's order, no signed motion or signed amended complaint
13 has been received. Therefore, leave to file an amended complaint is WITHDRAWN.
14

15 The Court will proceed with the original complaint and the original Scheduling Order .
16 The Court will now consider the complaint filed November 25, 2008, (Dkt. # 1), as the final
17 complaint in this action. The Scheduling Order entered January 5, 2009 is in effect.

18 The Clerk's Office is directed to send a copy of this order to plaintiff.

19 DATED this 28th day of April, 2009.

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22 J. Richard Creatura
23 United States Magistrate Judge
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