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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 JAMES M. HINKLEY,

7 Plaintiff,

No. C12-5969 RBL/KLS

8 v.

ORDER REGARDING PLAINTIFF'S
SUBMISSION OF "EVIDENCE"

9 ELDON VAIL, SCOTT RUSSELL,
10 KERRY ARLOW, JEFFREY L.
CARLSEN, STEVE DEMARS, JOHN
AND JANE DOES 1-32,

11 Defendants.

12 On March 13, 2012, Plaintiff filed a document entitled "Entering Evidence to Answer of
13 Defendants' Answer." ECF No. 36. Plaintiff states that he received proof that some of the
14 defendants were aware of his medical complaints. *Id.* Plaintiff is advised that the Court will
15 take no action with regard to this filing.
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17 **DISCUSSION**

18 While it is certainly permissible to attach exhibits to pleadings and motions if the
19 exhibits are incorporated by reference (Fed. R. Civ. P. 10(e)), they are not necessary in the
20 federal system of notice pleading. Fed. R. Civ. P. 8(a). Plaintiff is not obligated to prove the
21 allegations in his complaint at this stage. In addition, Plaintiff may not submit affidavits or
22 other documents for the purpose of using them as evidence at later stages in litigation. This
23 Court will not serve as a storehouse for his evidence. Evidence should not be submitted until
24 this action reaches an appropriate stage in litigation for the submission of evidence, such as in
25 response to a motion for summary judgment, at trial, or when specifically requested by the
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ORDER - 1

1 Court. Evidence must be submitted at the proper time and under the proper procedures.
2 Attaching exhibits to the complaint or to declarations filed independently of any motion is not
3 the proper procedure for admitting evidence for the purpose of proving his allegations.

4 Accordingly, it is **ORDERED** that the Court will take no action on ECF No. 36. The
5 Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.
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8 **DATED** this 28th day of March, 2103.

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11 Karen L. Strombom
12 United States Magistrate Judge
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