

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Bobby Lee Collins v. Kurgan, et al.

Collins v. Kurgan · No. 2:23-cv-1600 CSK P · Decided October 16, 2025

SUMMARY

The United States District Court for the Eastern District of California directed pro se prisoner plaintiff Bobby Lee Collins to re-file his opposition to defendants’ motion for summary judgment because the submitted opposition was unsigned. The court gave plaintiff twenty-one days to comply and warned that failure to do so could result in striking the filing and recommending that defendants’ motion be granted.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 BOBBY LEE COLLINS, No. 2:23-cv-1600 CSK P 12 Plaintiff, 13 v.
ORDER 14 KURGAN, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding pro se
with a civil rights action pursuant to 18 42 U.S.C. § 1983.

On October 6, 2025, plaintiff filed a document styled, “Opposition to 19 Defendants’ Motion for
Summary Judgment.” (ECF No. 62.) However, plaintiff did not sign his 20 opposition. 21 This is
the second time plaintiff has failed to sign a document submitted to the Court for 22 filing.

As plaintiff was reminded in the Court’s February 11, 2025 order, parties proceeding 23 without
counsel are required to sign all pleadings, motions, and other papers submitted to the 24 court for
filing. Fed. R. Civ. P. 11(a).

Thus, the Court is unable to consider plaintiff’s opposition 25 unless he signs and re-files the
opposition. 26 Plaintiff is provided an opportunity to re-file his opposition bearing his signature.
27 Defendants’ motion for summary judgment was filed on August 5, 2025, and plaintiff was 28 1
| previously granted an additional thirty days in which to file an opposition to the motion on 2 ||
September 17, 2025.

(ECF Nos. 59, 61.) Plaintiff is reminded that Rule 56 of the Federal Rules 3 || of Civil Procedure
explains what plaintiff is required to do to oppose a motion for summary 4 | judgment. *Rand v.*
Rowland, 154 F.3d 952, 962-63 (9th Cir. 1998) (en banc); Local Rule 260. 5 || These instructions
were included in defendants’ briefing on summary judgment. (ECF No. 59-4.)

6 In accordance with the above, IT IS HEREBY ORDERED that within twenty-one days 7 || from
the date of this order, plaintiff shall re-file a signed opposition to the pending motion for 8 ||

summary judgment. Plaintiffs failure to comply with this order will result in an order striking 9 ||
the unsigned filing and a recommendation that defendants' motion for summary judgment be 10 |
granted.

1] Dated: October 15, 2025 7 2 Chan Spo 13 CHI SOO KIM 14. soveomt6oost1b UNITED
STATES MAGISTRATE JUDGE 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-eastern-district-of-california-united-states-district-court-for/2025/bobby-lee-collins-v-kurgan-et-al-25cgry2v>