

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Susan Marie Shultz v. County of Kern, et al.

Shultz · No. 1:26-cv-00043-CDB · Decided January 8, 2026

SUMMARY

The United States District Court for the Eastern District of California orders Plaintiff Susan Marie Shultz to file a signed complaint within 21 days because the original complaint was unsigned under Federal Rule of Civil Procedure 11(a) and the court’s local rules. The court holds Shultz’s motion to proceed in forma pauperis in abeyance and warns that failure to comply may result in sanctions, including a recommendation to dismiss the action without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 8, 2026
DOCKET	1:26-cv-00043-CDB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil-rights complaint under 42 U.S.C. § 1983 and the Fourteenth Amendment, together with a motion to proceed in forma pauperis. The court identified that the complaint was unsigned and ordered Plaintiff to file a signed complaint within 21 days, holding the in forma pauperis motion in abeyance.
PRECEDENTIAL VALUE	Nonprecedential district-court order

TOPICS

- pleadings civil procedure sanctions section 1983 procedural due process

PRACTICE AREAS

- Civil procedure Civil rights Constitutional law Municipal law

QUESTIONS PRESENTED

1. Whether the court must strike an unsigned complaint under Federal Rule of Civil Procedure 11(a) unless the defect is promptly corrected after notice.

2. Whether the court should direct Plaintiff to file a signed complaint and hold her motion to proceed in forma pauperis in abeyance pending correction of the signature deficiency.

HOLDINGS

1. An unsigned pleading must be stricken unless the party promptly corrects the signature deficiency after receiving notice.
2. The court held Plaintiff's motion to proceed in forma pauperis in abeyance until Plaintiff files a signed complaint.

KEY QUOTATIONS

"This Court must strike an unsigned pleading unless the deficiency is promptly corrected after notice to the party." (at 1)

"Any failure by Plaintiff to comply with this Order will result in the imposition of sanctions, including a recommendation to dismiss the entire action without prejudice." (at 3)

FACTUAL BACKGROUND

Plaintiff alleged that she was removed from housing after Kern County addressed environmental and building-code violations at her residence and that she was designated as homeless without notice or an opportunity to contest the designation. She further alleged that Defendants denied her housing and housing-related assistance based on assumptions and inaccurate records, without adequate procedural safeguards. Plaintiff asserted that the conduct resulted from an official policy or custom and therefore established municipal liability.

PROCEDURAL HISTORY

Plaintiff initiated the action on January 6, 2026, by filing a complaint and a motion to proceed in forma pauperis. On January 8, 2026, the district court determined that the complaint was unsigned, directed Plaintiff to file a signed copy within 21 days of service, and held the in forma pauperis motion in abeyance. The court warned that noncompliance could result in sanctions, including a recommendation that the action be dismissed without prejudice.

DISPOSITION

other

CASES CITED

- Monell v. Department of Social Services, 436 U.S. 658 (1978)