

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

OPINION

Shultz

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 SUSAN MARIE SHULTZ, Case No.: 1:26-cv-00043-CDB 12 Plaintiff, ORDER
DIRECTING PLAINTIFF TO FILE

SIGNED COMPLAINT AND HOLDING IN

13 v. ABEYANCE MOTION TO PROCEED IN

FORMA PAUPERIS

14 COUNTY OF KERN, et al., (Docs. 1, 2) 15 Defendants.

21-DAY DEADLINE

16 17 Plaintiff Susan Marie Shultz (“Plaintiff”) initiated this action with the filing of a complaint
18 on January 6, 2026. (Doc. 1). That same day, Plaintiff filed a motion to proceed in forma
pauperis. 19 (Doc. 2). 20 Background 21 In her complaint, Plaintiff brings claims pursuant to 42
U.S.C. § 1983 and the Fourteenth 22 Amendment against Defendants the County of Kern, Lorelei
Oviatt, Kern County Community 23 Development, Kern County Sheriff’s Department, Flood
Ministries, and High Desert Women’s 24 Shelter. Id. at 1. Plaintiff’s allegations are somewhat
difficult to parse. Insofar as the Court can 25 discern, Plaintiff asserts that she was removed from
her housing as a result of the County of Kern 26 addressing environmental and building code
violations at her place of residence, and designated as 27 “homeless” without notice or
opportunity to contest the designation. She was thereafter denied 28 housing and housing-related
assistance due to Defendants’ “reliance on assumptions rather than 1 providing process or
verification.” Defendants’ “ongoing failure to provide procedural safeguards, 2 correct records, or
otherwise ensure Plaintiff’s access to housing constitutes violation of Plaintiff’s 3 Fourteenth
Amendment rights.” Plaintiff states that these deprivations establish municipal liability 4 under
Monell v. Department of Social Services, 436 U.S. 658 (1978), because they were caused by 5
official policy or custom. Id. at 2-3. 6 Plaintiff attaches to her complaint a “Chronology of Harm /
Timeline” and what appear to 7 be truncated copies of email exchanges between her and
Defendant Oviatt and other employees of 8 the County of Kern. See id. at 4-12. 9 Discussion 10

The Court notes that Plaintiff's complaint is unsigned. See (Doc. 1). Under the Federal 11 Rules of Civil Procedure, every pleading must be signed either by an attorney or a party if the party 12 is unrepresented. Fed. R. Civ. P. 11(a). Similarly, this Court's Local Rule 131(b) requires that 13 "[a]ll pleadings and non-evidentiary documents shall be signed ... by the party involved if that 14 party is appearing in propria persona." Local Rule 131(b). The Local Rules define a signature as 15 a handwritten signature on a paper document or an electronic signature on an electronically-filed 16 document. Local Rule 100. This Court must strike an unsigned pleading unless the deficiency is 17 promptly corrected after notice to the party. Fed. R. Civ. P. 11(a). 18 Thus, as Plaintiff's complaint is unsigned, the Court must strike it unless Plaintiff corrects 19 the deficiency. Accordingly, the Court will direct Plaintiff to file a signed copy of her complaint 20 and hold in abeyance her motion to proceed in forma pauperis (Doc. 2) until her signed complaint 21 is filed. 22 23 Remainder of This Page Intentionally Left Blank 24 25 26 27 28 1 Conclusion and Order 2 For the foregoing reasons, IT IS HEREBY ORDERED that, within 21 days of the date of 3 | service of this Order, Plaintiff SHALL file a signed copy of the complaint pursuant to Rule 11 of 4 | the Federal Rules of Civil Procedure and Local Rules 100 and 131(b). 5 Any failure by Plaintiff to comply with this Order will result in the imposition of 6 | sanctions, including a recommendation to dismiss the entire action without prejudice. 7 | IT IS SO ORDERED. 8 Dated: _ January 8, 2026 | Ww VV KD

9 UNITED STATES MAGISTRATE JUDGE

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