

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Chris Miller v. I. Salcedo

Miller v. Salcedo · No. 1:25-cv-01307-HBK · Decided December 15, 2025

SUMMARY

The United States District Court for the Eastern District of California discharges its order to show cause after Plaintiff Chris Miller responds regarding the failure to file a signed complaint. The court directs the Clerk to resend the unsigned complaint and gives Plaintiff until January 5, 2026, to sign, date, and refile it under penalty of perjury. The order warns that failure to comply may result in a recommendation of dismissal under Federal Rule of Civil Procedure 41(b) and Local Rule 110.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 CHRIS MILLER, Case No. 1:25-cv-01307-HBK 12 Plaintiff, ORDER
DISCHARGING ORDER TO SHOW CAUSE 13 v. (Doc. No. 8) 14 I. SALCEDO, ORDER
DIRECTING CLERK TO RESEND 15 Defendant. COPY OF UNSIGNED COMPLAINT TO
PLAINTIFF FOR SIGNING AND REFILINIG 16 JANUARY 5, 2026 DAY DEADLINE 17 18
On November 20, 2025, the undersigned ordered Plaintiff to show cause why the court 19 should
not dismiss this case pursuant to Local Rule 110 for Plaintiff’s failure to comply with the 20
October 6, 200205 order directing Plaintiff to return a signed complaint under penalty of perjury.

21 (Doc. No. 8, “show cause order”). On December 11, 2025, Plaintiff filed a response to the
show 22 cause order. (Doc. No. 9). Therein, Plaintiff states he promptly returned a signed
complaint upon 23 receipt of the October 6, 2025 order. (Id.). Notably, similar to Plaintiff’s
original complaint, the 24 response is not signed by Plaintiff. (Id.). 25 The docket reveals that, to
date, no signed complaint has been received or filed.

26 Nonetheless, given Plaintiff’s representations, the court will discharge the show cause order
and 27 afford Plaintiff additional time to refile a signed complaint. The court duly warns Plaintiff
that 28 Rule 11 requires all pleadings, written motions, and other papers be signed by a party
personally 1 | if the party is unrepresented. Fed. R. Civ. P. 11(a); see also E.D.

Ca. Local Rule 131(b). The 2 | Court will not consider and will strike any future filings by
Plaintiff if they are unsigned. Fed. R. 3 | Civ. P. 11(a); L-R. 131(b). L.R. 131(b). See, e.g., West v.
Hulbert, 2016 WL 2854416, at *1 4 | (E.D. Cal. May 16, 2016) (“Because the Court cannot
consider unsigned filings, the 5 | complaint must be STRICKEN”). 6 Accordingly, it is
ORDERED: 7 1.

The court discharges the November 20, 2025 order to show cause (Doc. No. 8). 8 2. On or before January 5, 2026, Plaintiff shall deliver to correctional officials for mailing a copy of his complaint dated and signed under penalty of perjury. 10 3.

The Clerk of Court shall resend a copy of the unsigned complaint (Doc. No. 1) to Plaintiff with this order for Plaintiff's convenience in signing, dating, and refiling his complaint. 13 4. Plaintiff's failure to timely comply with this Order will result in the undersigned recommending the district court dismiss this case for Plaintiff's failure to comply with a Court order and prosecute this action consistent with Local Rule 110 and Federal Rule of Civil Procedure 41(b).

17 18 Dated: _ December 15, 2025 law ZA. foareh Zackte 19 HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE 21 22 23 24 25 26 27 28