

**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 October 6, 2025

OPINION

Salcedo

PER CURIAM.

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 STRIKING
UNSIGNED

COMPLAINT

13 v.

ORDER DIRECTING CLERK TO PROVIDE

14 I. SALCEDO, COPY OF UNSIGNED COMPLAINT TO

PLAINTIFF FOR SIGNING AND REFILE

15 Defendant.

30-DAY DEADLINE

16 17 18 Plaintiff Chris Miller, a prisoner, initiated this action by filing a pro se civil rights 19
complaint on October 3, 2025. (Doc. No. 1, Complaint). Upon review, the Court finds the 20
Complaint facially deficient because it is not signed by Plaintiff under penalty of perjury. (See 21
Doc. No. 1 at 6). Rule 11 requires all pleadings, written motions, and other papers be signed by 22
at least one attorney of record or by a party personally if the party is unrepresented. Fed. R. Civ.
23 P. 11(a); see also E.D. Ca. Local Rule 131(b). Because the Court cannot consider unsigned 24
filings, the Complaint must be stricken. Fed. R. Civ. P. 11(a); L.R. 131(b). L.R. 131(b). See, 25
e.g., West v. Hulbert, 2016 WL 2854416, at *1 (E.D. Cal. May 16, 2016) (“Because the Court 26
cannot consider unsigned filings, the complaint must be STRICKEN”); Anderson v. Krpan, 2015
27 WL 402086, at *2 (E.D. Cal. Jan. 29, 2015) (“The Court cannot consider unsigned filings and
28 therefore, the first amended complaint shall be stricken from the record.”). 1 Accordingly, it is
ORDERED: 2 1. The Clerk shall STRIKE Plaintiff’s Complaint (Doc. No. 1) from the docket. 3 2.
Within thirty (30) days of the date on this Order, Plaintiff shall return for filing his 4 complaint
dated and signed under penalty of perjury. 5 3. The Clerk of Court shall include a copy of the
unsigned complaint (Doc. No. 1) for 6 Plaintiff’s convenience in signing, dating and refile his
complaint. 7 4. Plaintiffs failure to timely comply with this Order will result in the undersigned 8

recommending the district court dismiss this case for Plaintiff's failure to comply with 9 a Court
order and prosecute this action. 10 ' | Dated: _ October 6, 2025 Wiha Th. foareh Yack
12 HELENA M. BARCH-KUCHTA
3 UNITED STATES MAGISTRATE JUDGE
14 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/chris-miller-v-i-salcedo-y8kyqm68>