

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES**

**FILED**

2008 JUL -2 PM 4: 54

TO:  U. S. DISTRICT JUDGE /  U. S. MAGISTRATE JUDGE Battaglia  
 FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 6/26/2008  
 CASE NO.: 08cv0260 BEN (AJB) DOCUMENT FILED BY: Petitioner DEPUTY  
 CASE TITLE: Xayasomloth v. Dexter  
 DOCUMENT ENTITLED: Motion for an Abeyance to Exhaust State Remedies

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input checked="" type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	Document not filed electronically. Notice of Noncompliance already issued.
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input checked="" type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input type="checkbox"/>	<u>OTHER:</u>

Date forwarded: 6/26/2008

**ORDER OF THE JUDGE / MAGISTRATE JUDGE**

**IT IS HEREBY ORDERED:**

- The document is to be filed nunc pro tunc to date received.
- The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate?  Yes. Court Copy retained by chambers

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: J. Battaglia

Dated: 7/1/08  
cc: All Parties

By: AS