

1 Ken Augustine  
53 Mark Drive  
2 San Rafael, CA 94903  
3 Plaintiff in Pro Per  
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FILED

04 NOV 17 PM 2:29

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 Robert-John: Foti, Joe Neufeld, Ken  
Augustine,

CASE-NO: C 04-2567 PJH

11 Plaintiffs

NOTICE OF MOTION FOR SUMMARY  
JUDGEMENT

12 vs.

DATE:

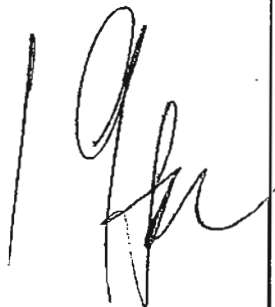
13 Officer McHugh and other unknown number  
14 of unnamed officers of the U.S. Marshall's  
Service and the Federal Protective Services,  
15 U.S. Marshall's Service, Federal Protective  
Services, Does: 1 -50

TIME:

DEPT.:

16 Defendants.

TRIAL DATE:



17  
18 TO: Defendants herein, and their counsel of record herein:


19 PLEASE TAKE NOTICE THAT ON \_\_\_\_\_, at 9:00 AM, or as soon  
20 thereafter as the parties may be heard by the above entitled Court, located at 450 Golden Gate  
21 Avenue, San Francisco, Plaintiff, Ken Augustine, will and hereby does move the Court for  
22 summary judgment on the ground that there is no genuine issue as to any material fact and that  
23 the moving party is entitled to judgment as a matter of law for the reason that defendants have  
24 been unlawfully denying Plaintiff access to the federal court system with any basis in fact or law,  
25 and that such behavior is barred by Plaintiff's constitutional right to access to these courts.

26 This motion is based upon this Notice of Motion and Motion, the accompanying  
27 Memorandum of Points and Authorities, the declarations of Ken Augustine, all the pleadings and  
28 papers in this action, and upon such other matters as may be presented to the Court at the time of  
Notice of motion

1 the hearing.

2 Dated: 11/16/04

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Ken Augustine