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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CURTIS RENEE JACKSON,

Plaintiff,

v.

Y. A. YATES, et al.,

Defendants.

CASE NO. 1:11-cv-00080-LJO-BAM PC

ORDER STRIKING PLAINTIFF’S RESPONSE
TO ANSWER

(ECF No. 47)

Plaintiff Curtis Renee Jackson (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the second amended complaint, filed on May 7, 2012, against Defendant Mendez for excessive force in violation of the Eighth Amendment and against Defendants Daley, Samonte, Nichols, Valdez and Gonzales for failure to intervene in violation of the Eighth Amendment. On November 16, 2012, Defendants Gonzales, Mendez and Nichols filed an answer to the complaint. Plaintiff filed a “response” to Defendants’ answer on December 18, 2012.

In relevant part, the Federal Rules of Civil Procedure provide that there shall be a complaint, an answer to a complaint, and, if the Court orders one, a reply to an answer. Fed. R. Civ. P. 7(a). The Court has not ordered a reply to Defendants’ answer and declines to make such an order. Accordingly, Plaintiff’s purported response to the answer is HEREBY STRICKEN from the record.

IT IS SO ORDERED.

Dated: December 19, 2012

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE