UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RAFAEL GUZMAN,

Plaintiff,
ORDER DISREGARDING PLAINTIFF'S OBJECTIONS

v.

JOHN MARSHALL, et al.,
Defendants.

Case No. 1:12-cv-00828-LJO-SAB

(ECF No. 24)

Plaintiff Rafael Guzman is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the complaint in this action on May 21, 2012. On February 18, 2014, an order issued finding cognizable claims and on March 10, 2014 the United States Marshal was directed to serve the second amended complaint. On May 12, 2014, Defendants filed an answer to the complaint. On June 23, 2014, Plaintiff filed an objection to the answer addressing the issue of his exhaustion of administrative remedies.

The Federal Rules of Civil Procedure provide, in relevant part, that there shall be a complaint, an answer, and a reply to an answer if the court orders one. Fed. R. Civ. P. 7(a). The Court has not ordered a reply to the answer and declines to make such an order. Therefore Plaintiff's objection to the answer shall be disregarded.

Plaintiff is advised that should the defendants file a motion for summary judgment based upon Plaintiff's failure to exhaust his administrative remedies, he will be provided with an opportunity to file an objection at that time.

Accordingly, it is HEREBY ORDERED that Plaintiff's objection, filed June 23, 2014, is DISREGARDED.

IT IS SO ORDERED.

Dated: **June 25, 2014**

UNITED STATES MAGISTRATE JUDGE