

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TONY EDWARD POWELL,

Plaintiff,

vs.

MADDEN, *et al.*,

Defendants.

Case No. 1:13-cv-00057-RRB

**ORDER REGARDING**  
**MOTION AT DOCKET 53**

At **Docket 53** Plaintiff Tony Edward Powell, a federal prisoner appearing *pro se*, filed a document entitled “Petition for Clarity.” It appears from that document that Powell is laboring under the misconception that leave of court is required before a party must respond to a motion or the motion may be granted. Nothing in the rules of practice so provide. The Court also notes that Defendants’ motion itself referred to the applicable local rules regarding an answer. Furthermore, this Court provided Powell with guidance on responding to the Defendants’ motion.<sup>1</sup> Accordingly, the Petition for Clarity at **Docket 53** is **DENIED**.

**IT IS SO ORDERED** this 13<sup>th</sup> day of March, 2014.

S/RALPH R. BEISTLINE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Docket 51.