

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

GARY RAY BETTENCOURT,  
Plaintiff,  
v.  
PARKER, *et al.*,  
Defendants.

Case No. 1:16-cv-00150-DAD-BAM (PC)  
ORDER STRIKING PLAINTIFF’S  
RESPONSE TO DEFENDANTS’ ANSWER  
(ECF No. 58)

Plaintiff Gary Ray Bettencourt (“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 proceeds on Plaintiff’s claims of deliberate indifference in violation of the Eighth Amendment against Defendant Crooks for pulling two teeth that did not need to be pulled, and against Defendants Parker and Guzman for filing down six healthy teeth with a dental tool used for drilling cavities.

On September 8, 2020, Defendants answered Plaintiff’s complaint. (ECF No. 55.) On October 2, 2020, Plaintiff filed a response to Defendants’ answer. (ECF No. 58.)

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.

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, Plaintiff's response to Defendants' answer, filed on October 2, 2020, (ECF No. 58), is HEREBY STRICKEN from the record.

IT IS SO ORDERED.

Dated: October 2, 2020

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE