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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 MARIO KING,) Case No.: 1:16-cv-00433-LJO-SAB (PC)
12)
13 Plaintiff,)
14 v.) ORDER STRIKING PLAINTIFF'S RESPONSE TO
15 W. S. WADKINS,) DEFENDANTS' ANSWER TO COMPLAINT
16 Defendant.) [ECF No. 23]
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17 Plaintiff Mario King is a state prisoner and appearing pro se and in forma pauperis in this civil
18 rights action pursuant to 42 U.S.C. § 1983.

19 This is action is proceeding against Defendant W. S. Wadkins for a due process violation
20 arising out of rules violation report hearing on November 23, 2015.

21 On August 18, 2016, Defendant Wadkins filed an answer to Plaintiff's complaint. (ECF No.
22 17.) On September 8, 2016, Plaintiff filed a response to Defendant's answer. (ECF No. 23.)

23 Rule 7 of the Federal Rules of Civil Procedure provides as follows:

24 There shall be a complaint and an answer; a reply to a counterclaim denominated as
25 such; an answer to a cross-claim, if the answer contains a cross-claim; a third-party
26 complaint, if a person who was not an original party is summoned under the provisions
27 of Rule 14; and a third-party answer, if a third-party complaint is served. No other
28 pleading shall be allowed, except that the court may order a reply to an answer or a
third-party answer.

1 Fed. R. Civ. P. 7(a). Because the Court did not order Plaintiff to reply to answer, Plaintiff's response
2 is HEREBY STRICKEN from the record.

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4 IT IS SO ORDERED.

5 Dated: September 9, 2016


UNITED STATES MAGISTRATE JUDGE