

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 TIANTE DION SCOTT,

12 Plaintiff,

13 vs.

14 BEREGOVSKAY, et al.,

15 Defendants.
16
17
18
19
20

1:17-cv-01146-AWI-GSA-PC

**ORDER STRIKING PLAINTIFF'S
OBJECTIONS TO ANSWER
(ECF No. 52.)**

21 Tianté Dion Scott (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis*
22 with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint
23 commencing this action on June 19, 2017, at the United States District Court for the Northern
24 District of California. (ECF No. 1.) On August 24, 2017, the case was transferred to this court.
25 (ECF No. 6.) The case now proceeds with Plaintiff’s Third Amended Complaint filed on
26 November 19, 2018, against defendants Olga Beregovskaya (MD), David Gines (MD), C. Agbasi
27 (LVN), and A. Armendarez (RN) (collectively, “Defendants”) for inadequate medical care in
28 violation of the Eighth Amendment. (ECF No. 25.)

1 On November 3, 2020, Defendants filed an answer to the complaint. (ECF No. 48.) On
2 December 7, 2020, Plaintiff filed objections to Defendants' answer. (ECF No. 52.) However,
3 the Federal Rules of Civil Procedure provide as follows, in pertinent part:

4 (a) **Pleadings.** Only these pleadings are allowed:

5 (1) a complaint;

6 (2) an answer to a complaint;

7 (3) an answer to a counterclaim designated as a counterclaim;

8 (4) an answer to a crossclaim;

9 (5) a third-party complaint;

10 (6) an answer to a third-party complaint; and

11 (7) *if the court orders one, a reply to an answer.*

12 Fed. R. Civ. P. 7(a) (emphasis added). The court has not ordered Plaintiff to reply to Defendants'
13 answer and declines to make such an order. Therefore, the objections will be stricken.

14 Accordingly, IT IS HEREBY ORDERED that Plaintiff's objections to Defendants'
15 answer, filed on December 7, 2020, is STRICKEN from the record.¹

16
17
18 IT IS SO ORDERED.

19 Dated: December 8, 2020

/s/ Gary S. Austin
20 UNITED STATES MAGISTRATE JUDGE

21
22
23
24
25
26
27
28

¹ A document which is "stricken" will not be considered by the Court for any purpose.
(Informational Order, ECF No. 8 at 2:7-8.)