UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRYAN D. PATTERSON, Plaintiff, v. MAURICE HOWARD, et al., Defendants.	Case No.: 1:20-cv-00751-DAD-SAB (PC) ORDER STRIKING PLAINTIFF'S REPLY TO DEFENDANT'S ANSWER (ECF No. 27)

Plaintiff Bryan D. Patterson is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On January 8, 2021, Defendant Maurice Howard filed an answer to the complaint. (ECF No. 22.) Pursuant to Rule 7(a), of the Federal Rules of Civil Procedure, a reply may be filed to answer, if so ordered to by the court. Fed. R. Civ. P. 7(a)(7). If an unauthorized reply is filed, it should be stricken and deemed a nullity. Here, the Court did not order that a reply to Defendant's answer be filed. Thus, the unauthorized reply shall be stricken as a nullity. In addition, although Defendant Howard initially failed to file a timely responsive pleadings, the Court found good cause to extend the time to do so nunc pro tunc, and entry of default is not warranted. (ECF No. 22.) Accordingly, it is HEREBY ORDERED that Plaintiff's reply to Defendant's answer is stricken from the record.

IT IS SO ORDERED.

Dated: **February 16, 2021**

UNITED STATES MAGISTRATE JUDGE