

THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

OSCAR ARREOLA,)	CIVIL NO. 2:08-00805 JMS
)	
Plaintiff,)	ORDER REQUIRING
)	SUPPLEMENTAL BRIEF IN
vs.)	OPPOSITION TO DEFENDANT’S
)	MOTION FOR JUDGMENT ON THE
G. DUDLEY,)	PLEADINGS
)	
Defendant.)	
_____)	

ORDER REQUIRING SUPPLEMENTAL BRIEF IN OPPOSITION TO DEFENDANT’S MOTION FOR JUDGMENT ON THE PLEADINGS

On April 15, 2008, pro se Plaintiff Oscar Arreola (“Plaintiff”) filed this civil rights action pursuant to 42 U.S.C. § 1983. On April 5, 2010, Defendant G. Dudley filed a Rule 12(c) Motion for Judgment on the Pleadings (“Defendant’s Motion”), arguing that Plaintiff had failed to properly exhaust his administrative appeals regarding his claims against Defendant. On May 17, 2010 Plaintiff filed an Opposition. On May 26, 2010 Defendant filed a Reply. On June 15, 2010, Plaintiff filed a sur-Reply.

Because Plaintiff’s filings to date are unclear, the court orders Plaintiff to submit a Supplemental Opposition by **July 14, 2010**. In the Supplemental Opposition, Plaintiff must specify whether or not he alleges that Dudley was

responsible for his care **prior** to Plaintiff's filing of the inmate complaint 602 form on April 30, 2007. Plaintiff should not cite caselaw for the court. Rather, Plaintiff should address whether he alleges (1) that Dudley withheld treatment from him prior to Plaintiff's filing of an inmate complaint form on April 30, 2007, or (2) whether Plaintiff's allegations in this suit arise from Dudley's statements in the June 11, 2007 interview with Plaintiff, or (3) whether Plaintiff both alleges that Dudley withheld treatment from him prior to April 30, 2007 and makes claims that arise from Dudley's statements in the June 11, 2007 interview.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, June 29, 2010.



/s/ J. Michael Seabright

J. Michael Seabright
United States District Judge

Arreola v. Dudley, Civ. No. 2:08-00805 JMS, Order Requiring Supplemental Brief in Opposition to Defendant's Motion for Judgment on the Pleadings