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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH B. MATTHEWS,

Plaintiff,

No. 2:09-cv-2415 GEB KJN P

vs.

AMRICK BASI, M.D.,

Defendant.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se in this civil rights action for relief pursuant to 42 U.S.C. § 1983. On October 3, 2011, plaintiff filed an opposition to defendant’s answer. Rule 7 of the Federal Rules of Civil Procedure provides as follows:

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

Fed. R. Civ. P. 7(a) (emphasis added). The court has not ordered plaintiff to reply to defendants’ answer and declines to make such an order. Accordingly, IT IS HEREBY ORDERED that

///

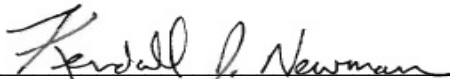
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1 plaintiff's October 3, 2011 opposition (dkt. no. 81) is disregarded.

2 DATED: October 13, 2011

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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