IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LEE JAMES BAILEY

Plaintiff, No. 2:10-cv-02295 JAM KJN P

vs.

FAIRFIELD POLICE DEPARTMENT, et al.,

Defendants. ORDER

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On July 20, 2011, in response to this court's order filed June 23, 2011, plaintiff timely filed an opposition to defendants' motion for more definite statement. The court has reviewed plaintiff's opposition, again reviewed defendants' motion, and reviewed the court's initial screening order. The undersigned finds that further briefing by plaintiff, or amendment of the complaint, would not provide defendants with the clarity they seek. Therefore, this action shall proceed on plaintiff's original complaint. Defendants shall timely file a responsive pleading, either an answer, or a motion to dismiss in which defendants may again raise relevant contentions set forth in their motion for more definite statement.

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Accordingly, IT IS HEREBY ORDERED that:

1. Defendants' motion for more definite statement (Dkt. No. 14) is denied without prejudice; and

2. Defendants shall timely file a pleading that is responsive to plaintiff's original complaint.

DATED: August 24, 2011

KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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