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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIO TORRES,
Plaintiff,
v.
NATALIE SABA, et al.,
Defendants.

Case No. [16-cv-06607-SI](#)

ORDER
Re: Dkt. No. 24

Plaintiff filed a request for an extension of time to file a reply to defendants' answer to the third amended complaint. A reply to an answer only is allowed if the court orders one. *See* Fed. R. Civ. P. 7(a). The court did not order plaintiff to file a reply to the answer, and a reply is not necessary in this case. Accordingly, plaintiff's request for an extension of the deadline to file a reply to the answer is DENIED. (Docket No. 24.)

In his request, plaintiff also asked for clarification about two matters. First, he was confused about the case number for this case, because the court had written it as 16-cv-6607 SI and defendants had written the case number as C16-6607 SI. Both numbers refer to the same case, but it is preferable that the parties use 16-cv-6607 SI because that is the way the case numbers now are generated on the court's electronic docketing system. Second, plaintiff was confused about the severance of some claims. The purpose of a severance is to address the problem created by plaintiff's inclusion of unrelated claims in a single action; a severance will allow some claims to be addressed in one action and other claims to be addressed in a separate action. The claims against the Concord Police Department and its members arising out of events and omissions on July 4, 2012 (i.e., the claims alleged at pages 9-14 and the requests for relief alleged at pages 43:11 to page 45 of the third amended complaint) will be addressed in Case No. 16-cv-6607 SI.

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All the other claims and defendants will be addressed in a separate action, i.e., Case No. 17-cv-6587 SI. The court will conduct an initial review of the pleading (which is a copy of the third amended complaint) in Case No. 17-cv-6587 SI in due course. Plaintiff should be very careful to put the number for the correct case on all future filings; it will almost never be correct to put both case numbers on a single filing.

Finally, plaintiff attached to his request a copy of defendants' answer as well as the court's order of service and partial severance. It is unnecessary to submit with a new filing a copy of a document that already exists in the court's file -- the court can simply look at the copy already in the file. If plaintiff wants to refer to a document that already is in the court's file, he should identify the document by its full title and date of filing, or by its docket number if he has that information.

IT IS SO ORDERED.

Dated: January 11, 2018



SUSAN ILLSTON
United States District Judge