

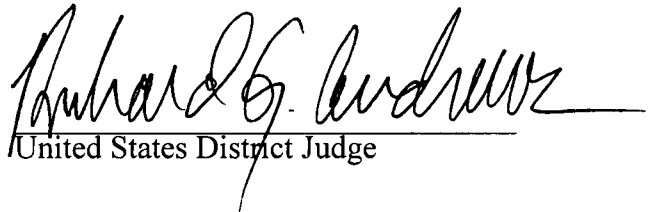


subsequent October 14 filing, consisting of one paragraph of about 58 words, generally alleges that Plaintiff's health is "getting worse" and relates medical issues that are consistent with that summary description. (D.I. 14). The Court will interpret that submission as an explanation for why the Plaintiff had not to date submitted a brief. As of today's date, nearly three months later, there has been no further communication from Plaintiff, and, in particular, no brief.

If D.I. 14 were interpreted as a summary judgment brief (as Plaintiff entitled his filing), it makes no argument, and the Court would grant summary judgment if the Defendant filed a motion requesting such action.

Out of an excess of caution, the Court will give the Plaintiff one last chance.

Entered this 9<sup>th</sup> day of January, 2012.

  
United States District Judge