

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

MICHAEL ANDERSON,

Plaintiff,

-vs-

Case No. 2:10-cv-111-FtM-36SPC

CITY OF NAPLES; NAPLES POLICE  
DEPARTMENT; RALPH ANTHONY,

Defendants.

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**ORDER**

This matter comes before the Court on Plaintiff's Motion to Strike Defendants' Motion to Dismiss and for more Definite Statement for Failure to Follow Local Rules (Doc. #50) filed on November 22, 2010. Plaintiff *pro se* Michael Anderson argues that Defendants' Motion to Dismiss should be stricken because the Motion has been pending for more than 180 days and Defendant failed to inform the Court of this fact as required by Local Rule 3.01(h).

The Court finds that in this case it would be improper to strike the Motion to Dismiss as the District Court is aware the Motion is pending and will rule on it in due course.

Accordingly, it is now **ORDERED**:

Plaintiff's Motion to Strike Defendants' Motion to Dismiss and for more Definite Statement for Failure to Follow Local Rules (Doc. #50) is **DENIED**.

**DONE AND ORDERED** at Fort Myers, Florida, this 23rd day of November, 2010.

  
SHERI POLSTER CHAPPELL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record