

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ALFRED BARR,

Plaintiff,

v.

CASE NO: 8:10-cv-430-T-23EAJ

DAVID GEE, et al.,

Defendants.

ORDER

The pro se plaintiff moves (Doc. 60) “for a more definite statement from defendants.” The plaintiff requests “this court to establish a ruling on Rules 10(b), 11(b), and 12(e) and (f)(2) and their applicability to the named defendant’s motion to dismiss prior to this Plaintiff’s filing his official response. And clarify the applicability of numbering paragraphs for all future pleadings from any party.” The request is **DENIED**.^{*}

To the extent the plaintiff requests that the defendant’s motions to dismiss “strictly comply” with Rule 10, Federal Rules of Civil Procedure, the motion is **DENIED**. Rule 10 governs the form of “pleadings.” Rule 7 provides an exclusive list of the appropriate pleadings in federal court and distinguishes between a “pleading” and a “motion” or “other paper.” Because the defendants’ motions to dismiss are “motions”—not

^{*} See GJR Investments, Inc. v. County of Escambia, Fla., 132 F.3d 1359, 1369 (11th Cir. 1998) (“Courts do and should show a leniency to pro se litigants not enjoyed by those with the benefit of a legal education. Yet even in the case of pro se litigants this leniency does not give a court license to serve as de facto counsel for a party or to rewrite an otherwise deficient pleading in order to sustain an action.” (citations omitted)).

pleadings—the motions need not comply with Rule 10's requirement that a party state its claims or defenses in numbered paragraphs. The plaintiff's "Motion for a More Definite Statement from Defendants" (Doc. 60) is otherwise **DENIED**. On or before **July 6, 2010**, the plaintiff shall respond to each motion to dismiss. Failure to respond to the motions to dismiss will result in dismissal of this action without further notice.

ORDERED in Tampa, Florida, on June 25, 2010.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE