

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DINARR WHITESIDE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 13-cv-224-MJR-SCW
)	
SGT. FOLSOM, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

WILLIAMS, Magistrate Judge:

Before the Court is a Motion to Strike (Doc. 38) file by Plaintiff. Plaintiff seeks to strike Defendants’ affirmative defenses in their Answer because, Plaintiff argues, the answer is insufficient and redundant. Defendants have file a Response (Doc. 40) in opposition to the motion.

Under **Federal Rule of Civil Procedure 12(f)**, the court may “strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.” In Defendants’ Answer (Doc. 38) they have raised affirmative defenses of qualified immunity, immunity under the Eleventh Amendment, sovereign immunity, failure to exhaust, and barring mental an emotional damages. All of the affirmative defenses raise are standard defenses to Plaintiff’s 42 U.S.C. § 1983 claim. Plaintiff has not stated any basis for striking the affirmative defenses. Although he states the defenses are insufficient and redundant, he does not offer any support for that argument or justification for any of the defenses to be stricken. The Court finds that Defendants have sufficiently pled each defense which is all that is required at this stage. Accordingly, the Court **DENIES** Plaintiff’s motion to strike (Doc. 38). **IT IS SO ORDERED.**

DATED: July 8, 2013.

/s/ Stephen C. Williams
STEPHEN C. WILLIAMS
United States Magistrate Judge