

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

VERNON BONNER,)	
Plaintiff,)	
)	
v.)	CAUSE NO.: 2:14-CV-318-RLM-PRC
)	
GENERAL INFORMATION SERVICES,)	
Defendant.)	

OPINION AND ORDER

This matter is before the Court on Plaintiff's Disagree with Magistrate Judge to Strike Plaintiff Reply Motion to Defendant's Response [DE 50], filed by Plaintiff Vernon Bonner, pro se. The Court construes this filing as a motion to reconsider its order striking Plaintiff's Reply to Defendant Answer to Complaint, which the Court made orally on the record at a pretrial conference on November 19, 2015.

Pleadings, which state a party's claims or defenses, are governed by Federal Rule of Civil Procedure 7(a). This rule provides that only certain pleadings are allowed, among them a complaint and an answer to a complaint. Fed. R. Civ. P. 7(a)(1)-(2). A reply to an answer, however, is a form of pleading allowed only if the Court orders one to be filed. Fed. R. Civ. P. 7(a)(7). The filing that the Court struck was Plaintiff's reply to the answer, and the Court did not order this reply. It is the Court's duty to ensure compliance with the Federal Rules of Civil Procedure, so it was proper for the Court to act on its own without a request from Defendant to strike the filing. *See Controlled Env't Sys. v. Sun Process Co., Inc.*, 173 F.R.D. 509, 510 (N.D. Ill. 1997).

In contrast to pleadings, motions are documents that seek relief by requesting court orders. Fed. R. Civ. P. 7(b). Unlike the procedure with pleadings, when a motion is filed and the nonmoving

party files a response, it is appropriate for the moving party to file a reply without first receiving the Court's permission.

Accordingly, the Court hereby **DENIES** Plaintiff's Disagree with Magistrate Judge to Strike Plaintiff Reply Motion to Defendant's Response [DE 50].

As a further matter, the Court notes that the instant document, though it seeks relief from the Court, is not titled as a motion. The Court hereby **ADVISES** that documents that seek relief are motions and should be titled as motions.

SO ORDERED this 2nd day of December, 2015.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: Plaintiff Vernon Bonner, pro se