

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

CHRISTINE VIDRINE	*	CIVIL ACTION NO. 16-0449
VS.	*	JUDGE JAMES
LOUIS M. ACKAL, ET L	*	M A G I S T R A T E J U D G E WHITEHURST

ORDER

Review of the complaint reveals that defendants, Louis M. Ackal and Trevor Landry, were sued individually. Review of the answer filed by the defendants reveals that they have asserted the defense of qualified immunity. To the extent that the defendants were sued in their individual capacities, the heightened pleadings requirements apply. *See Baker v. Putnal*, 75 F.3d 190, 195 (5th Cir. 1996).

The undersigned finds that the allegations are insufficient as to these defendants. Accordingly, pursuant to the suggestion in *Schultea v. Wood*, 47 F.3d 1427, 1432-34 (5th Cir. 1995), **IT IS ORDERED** that the plaintiff file a Fed. R. Civ. P. 7(a) reply to the qualified immunity defense pled by the defendant **within twenty (20) days of receipt of this order. Specifically, the reply shall state as to each defendant: (1) the constitutional rights that said defendant personally violated; (2) the**

facts that support the allegations against said defendant; and (3) the reasons why said defendant is not entitled to qualified immunity.

Failure to comply with this order will invite the imposition of sanctions under Federal Rule of Civil Procedure 16(f), including possible dismissal of all claims. *See Reyes v. Sazan*, 168 F.3d 158 (5th Cir. 1999). Should plaintiff fail to file the Rule 7(a) reply, defense counsel shall promptly notify the court by filing an appropriate motion.

Signed in Lafayette, Louisiana, this 20th day of June, 2016.



CAROL B. WHITEHURST
UNITED STATES MAGISTRATE JUDGE