

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD VAN HORN,

Plaintiff,

CIVIL ACTION NO. 12-11880

v.

DISTRICT JUDGE GEORGE CARAM STEEH

JAMES S. WALTON,
C. GOMEZ,
FEDERAL BUREAU OF PRISONS,
BARDSLBY,

MAGISTRATE JUDGE MARK A. RANDON

Defendants.

ORDER DENYING AS MOOT PLAINTIFF'S
MOTION FOR JURY TRIAL

On September 4, 2012, Plaintiff filed a Motion for Jury Trial pursuant to Fed. R. Civ. P.

38. (Dkt. No. 29). Rule 38(b) says:

Demand. On any issue triable of right by a jury, a party may demand a jury trial by:

- (1) serving the other parties with a written demand - which may be included in a pleading - no later than 14 days after the last pleading directed to the issue is served; and
- (2) filing the demand in accordance with Rule 5(d).

Plaintiff filed his Complaint on April 26, 2012. (Dkt. No. 1). His Complaint included a jury demand in compliance with Rule 38. Accordingly, Plaintiff's Motion is **DENIED AS MOOT**.

IT IS ORDERED.

s/Mark A. Randon
Mark A. Randon
United States Magistrate Judge

Dated: November 30, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, November 30, 2012, by electronic and/or ordinary mail.

s/Melody Miles
Case Manager