

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CLARK HAMER,)
)
Plaintiff,)
vs.)
)
STATE OF NEVADA BUREAU OF)
VOCATIONAL REHABILITATION)
EMPLOYMENT AND TRAINING;)
NEVADA DISABILITY AND ADVOCACY)
LAW CENTER,)
)
Defendants.)
)

Case No.: 2:15-cv-1036-GMN-GWF

ORDER

Pending before the Court is a Motion, (ECF No. 28), filed by pro se Plaintiff Clark Hamer (“Plaintiff”).¹ Although Plaintiff titles the Motion as a “(Motion for Judgement [sic] on Pleading) to Issue Complaints and Summons,” Plaintiff merely restates the allegations in his Third Amended Complaint, (ECF No. 19),² and provides no legal analysis. The Court is therefore uncertain about what relief Plaintiff seeks with this Motion. As to Plaintiff’s request to “order the summons and complaints to be served to all defendants,” (Mot. at 4), the Court DENIES this request as redundant in light of Plaintiff’s two pending motions asserting the same request. (See ECF Nos. 27, 33).

To the extent Plaintiff seeks a judgment on the pleadings, Federal Rule of Civil Procedure 12(c) provides: “After the pleadings are closed—but early enough not to delay

¹ In light of Plaintiff’s status as a pro se litigant, the Court has liberally construed his filings, holding them to standards less stringent than formal pleadings drafted by attorneys. See *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

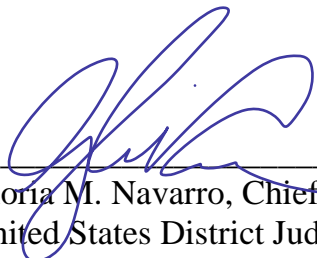
² This most recent Complaint is actually Plaintiff’s second amended complaint, which Plaintiff titles as his Third Amended Complaint. For consistency, the Court will adopt Plaintiff’s terminology.

1 trial—a party may move for judgment on the pleadings.” Fed. R. Civ. P. 12(c). The pleadings
2 are closed when all required pleadings have been served and filed. Doe v. U.S., 419 F.3d 1058,
3 1061 (9th Cir. 2005) (“[T]he pleadings are closed for the purposes of Rule 12(c) once a
4 complaint and answer have been filed.”); see Fed. R. Civ. P. 7(a) (listing pleadings).
5 Defendants have not yet filed its answer in this action. Indeed, Plaintiff has yet to even serve
6 Defendants. Thus, the pleadings are not closed and Plaintiff’s Motion is premature. See Doe,
7 419 F.3d at 1061–62 (holding that a motion for judgment on the pleadings filed before any
8 answer “was premature and should have been denied”). The Court therefore DENIES
9 Plaintiff’s Motion for Judgment on the Pleadings without prejudice.

10 Accordingly,

11 **IT IS HEREBY ORDERED** that Plaintiff’s Motion, (ECF No. 28), is **DENIED**
12 **without prejudice.**

13 **DATED** this 18 day of June, 2017.

14
15
16
17 
18 _____
19 Gloria M. Navarro, Chief Judge
20 United States District Judge
21
22
23
24
25