

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION13-77**

Nicholas Dodge Bruesch,)	
)	
Plaintiff,)	ORDER RE PLAINTIFF’S QUESTIONS
)	REGARDING THIS COMPLAINT
vs.)	
)	
Robyn Schmalenberger, Patrick Branson,)	
Tammy Homan, Darlyn Kunz, and)	
Marlane Middlestead,)	Case No. 1:13-cv-077
)	
Defendants.)	

Before the court is a document captioned “Questions to the Court Regarding this Complaint” filed by Plaintiff Nicholas Dodge Bruesch, an inmate at the James River Correctional Center, on November 4, 2013 (Docket No. 26). Plaintiff is concerned because he has not received a report and recommendation from the court and inquires as to why Defendants answered a complaint that Plaintiff believes has not yet been through all the proper proceedings in this court.

The court assumes that Plaintiff is concerned that his complaint has not been screened as mandated by 28 U.S.C. § 1915A, which requires the court to conduct an early review of inmate complaints against governmental entities and governmental employees and to dismiss certain meritless claims early in the proceeding. The court notes that it addressed the issue of § 1915A screening in the Order to Answer filed August 28, 2013 (Docket No. 13). In that order, the court concluded that the claims in Plaintiff’s amended complaint were sufficient to survive §1915A screening and ordered Defendants to file an answer addressing all claims. Defendants filed an answer as ordered by the court. Accordingly, no report and recommendation has been or will be issued because Plaintiff has been permitted to proceed with all claims in the amended complaint.

Dated this 5th day of November, 2013.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge