

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JIMMY L. COLLINS, JR.,)
)
 Plaintiff,)
)
)
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 vs.)
)
)
)
 MORTGAGE ELECTRONIC)
 REGISTRATION SYSTEMS, INC.,)
 et al.,)
)
 Defendants.)

**CASE NO. 3:11-00264
JUDGE TRAUGER/KNOWLES**

ORDER

This matter is before the Court upon a “Motion to Strike Plaintiff’s Motion for Summary Judgment or Require Concise Statement of Facts” (Docket No. 29), filed by Defendants Wilson & Associates, PLLC, and Shellie Wallace. The pro se Plaintiff has filed a “response,” that generally does not address the substance of the Motion. Docket No. 36.

Motions to Strike are governed by Fed. R. Civ. P. 12(f), which states:

The court may strike *from a pleading* an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. The court may act:

- (1) on its own; or
- (2) on motion made by a party either before responding to the pleading or, if a response is not allowed, within 21 days after being served with the pleading.

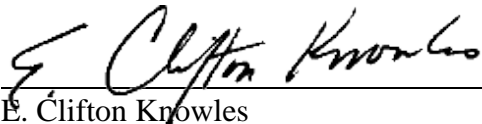
Fed. R. Civ. P. 12(f) (emphasis added).

Motions to Strike are applicable only to pleadings. *See Fox v. Michigan State Police Dept.*, 2006 U.S. App. LEXIS 5019 (6th Cir.) at **5-6; *Wimberly v. Clark Controller Co.*, 364 F.2d 225, 227 (6th Cir. 1966). *See also Lombard v. MCI Telecommunications Corp.*, 13 F. Supp. 2d 621, 625 (N.D. Ohio 1998); *Hrubec v. National R.R. Passenger Corp.*, 829 F. Supp. 1502, 1506 (N.D. Ill. 1993).

For the foregoing reasons, the instant Motion to Strike (Docket No. 29) is DENIED.

The undersigned has previously submitted a Report and Recommendation recommending that Plaintiff's Motion for Summary Judgment be DENIED for Plaintiff's failure to comply with Local Rule 56.01(b). Docket No. 64. Therefore, the portion of the instant Motion to require a concise statement of facts is also DENIED.

IT IS SO ORDERED.



E. Clifton Knowles
United States Magistrate Judge