

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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NATHANIEL ALLEN LINDELL,

Plaintiff,

v.

JON E. LITSCHER, Secretary of the  
Wisconsin Department of Corrections;  
CINDY O'DONNELL, Deputy Secretary to  
Litscher; JOHN RAY, Corrections Complaint  
Examiner ("C.C.E."); GERALD BERGE, Warden  
at Supermax Correctional Institution; PETER  
HUIBREGTSE, Deputy Warden of Supermax;  
LIEUTENANT JULIE BIGGAR, a Lt. at Supermax;  
ELLEN RAY, I.C.E.; SGT. JANZEN; C.O. WETTER;  
C.O. S. GRONDIN; C.O. MUELLER; C.O. CLARK, all  
guards at Supermax; JOHN SHARPE, Manager Foxtrot  
Unit at Supermax,

Defendants.  
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ORDER

02-C-21-C

Defendants in this case filed an answer to plaintiff's amended complaint on July 1, 2002. Plaintiff has now filed a document entitled "Plaintiff's Notice and Motion Objecting to Defendants' Answer, Seeking Default Judgment."

Pursuant to Fed. R. Civ. P. 7(a), a plaintiff may not submit a reply to an answer unless the court orders him to do so. No such order has been made in this case. However, pursuant to Fed. R. Civ. P.

8(a), a party is deemed to deny averments in pleadings to which a response is not allowed. Therefore, although plaintiff is not permitted to respond to defendants' answer, the court considers that he has denied the averments contained in that answer.

To the extent plaintiff's submission is a motion for default judgment or an effort to seek other sanctions for perceived inadequacies in defendants' answer, I have reviewed plaintiff's motion and it is DENIED.

Entered this 17th day of September, 2002.

BY THE COURT:

BARBARA B. CRABB  
District Judge