

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

STACEY MILLER,

Plaintiff,

v.

BRIAN BLANCHARD, JAC HEITZ,
TIM HAMMOND,

Defendants.

ORDER

04-C-255-C

Plaintiff has filed a document titled "Request for Extension of Time in which to Respond to the Defendants' Reply," which I construe as a request for permission to file a reply to the defendants' answers. The request will be denied.

It is not necessary for plaintiff to respond to defendants' answers. Indeed, Fed. R. Civ. P. 7(a) forbids a plaintiff to submit a reply to an answer unless the court directs a reply to be filed. There is no need for such an order in this case. Fed. R. Civ. P. 8(d) provides that averments in pleadings to which a response is not allowed are assumed to be denied. Therefore, although plaintiff will not be permitted to respond to defendants' answers, the court assumes that he has denied the factual statements and affirmative defenses raised in those answers.

ORDER

IT IS ORDERED that plaintiff's request for permission to file a reply to defendants' answers is DENIED.

Entered this 28th day of October, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge