

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

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NATANAEL RIVERA,

Plaintiff,

v.

GEORGE J. JIMENEZ,

Defendants.

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ORDER

12-cv-476-bbc

Plaintiff Natanael Rivera is proceeding in this case on his claims that defendant George Jimenez (1) required plaintiff to walk naked through the prison in front of other prisoners; and (2) used excessive force against plaintiff in violation of the Eighth Amendment. Now before the court is plaintiff's motion for a more definite statement and an award of costs for bringing the motion. Plaintiff's motion will be denied in its entirety.

Plaintiff's motion is filed in response to defendant's answer. In his motion, plaintiff complains about defendant's answers in which he says that he "lacks sufficient knowledge or information to form a belief as to the truth" to respond to certain allegations contained in plaintiff's complaint. Further, plaintiff states, because of the deficiencies in the answer, he is unable to adequately respond to the answer. For plaintiff's information, although Federal Rule of Civil Procedure 12(3) provides that a party may move for a more definite statement of a pleading to which a responsive pleading is allowed, an answer is not one of

those pleadings. Fed. R. Civ. P. 7(a). The purpose of an answer is not to be a detailed factual recounting of events, but rather to determine which of plaintiff's allegations defendant disputes. Defendant's answer serves that purpose. Therefore, plaintiff does not need to reply to the answer and he has shown no reason for awarding costs.

#### ORDER

IT IS ORDERED that plaintiff Natanael Rivera's motion for a more definite statement, dkt. #12, is DENIED.

Entered this 30th day of November, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge