

**Orders on Motions**1:18-cv-00392-MAD-CFHVidurek et al v. Cuomo et al

MAD-PILOT,PRO SE

**U.S. District Court****Northern District of New York - Main Office (Syracuse) [NextGen CM/ECF Release 1.2 (Revision 1.2)]****Notice of Electronic Filing**

The following transaction was entered on 5/3/2018 at 1:32 PM EDT and filed on 5/3/2018

**Case Name:** Vidurek et al v. Cuomo et al**Case Number:** 1:18-cv-00392-MAD-CFH**Filer:****Document Number:** 16(No document attached)**Docket Text:**

**TEXT ORDER denying [13] Plaintiffs' letter seeking a "Writ of Error and Show Cause." On April 23, 2018, Plaintiff John Vidurek filed a document entitled "Writ of Error and Show Cause" in which he appears to take issue with the fact that the Court granted Defendants' permission to file a pre-answer motion to dismiss. See Dkt. No. 13. Although far from clear, Plaintiff Vidurek appears to argue that the Court was without authority to permit Defendants to move to dismiss the complaint prior to filing an answer. In support of this position, Plaintiff Vidurek has cited to case law, secondary sources, and constitutional provisions that provide no support for his position. Rule 12 of the Federal Rules of Civil Procedure clearly provide for this procedure and the validity of Rule 12 is beyond dispute. Accordingly, Plaintiffs' letter motion is DENIED. Signed by U.S. District Judge Mae A. D'Agostino on 5/3/2018. (Copy served via regular mail)(ban)**

**1:18-cv-00392-MAD-CFH Notice has been electronically mailed to:**

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