

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|  |   |                           |
|--|---|---------------------------|
| Randy Joseph Flores, <i>et al.</i> ,         | § |                           |
|  | § |                           |
| Plaintiffs,                                  | § |                           |
|  | § |                           |
| vs.  | § | CIVIL ACTION NO. H-07-316 |
|  | § |                           |
| Eagle Lake Detention Center, <i>et al.</i> , | § |                           |
|  | § |                           |
| Defendants.                                  | § |                           |

**ORDER**

Before the court is defendant Rice District Community Hospital d/b/a Rice Medical Center’s motion for more definitive statement. (Dkt. 16). Under Fed. R. Civ. P. 12(e) “[i]f a pleading to which a responsive pleading is permitted is so vague or ambiguous that a party cannot reasonably be required to frame a responsive pleading, the party may move for a more definite statement before interposing a responsive pleading.” Furthermore, a motion for more definite statement is used to provide a remedy only for an unintelligible pleading rather than a correction for lack of detail. *See Davenport v. Rodriguez*, 147 F.Supp.2d 630, 639 (S.D.Tex.2001).

Here defendant Rice District Community Hospital complains that it cannot determine which causes of action plaintiffs allege against them and does not have sufficient information to fully respond. However, Rice District Community Hospital has answered the complaint and is therefore clearly on notice of the plaintiff’s claim under Fed. R. Civ. P. 8(a). (Dkt. 15). Defendant’s motion, therefore, is DENIED as moot.

Signed at Houston, Texas on May 11, 2007.

  

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Stephen Wm Smith  
United States Magistrate Judge