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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Ernest Valencia Gonzales,)	No. CV-99-2016-PHX-SMM
Petitioner,)	
vs.)	<u>DEATH PENALTY CASE</u>
Charles L. Ryan, et al.,)	ORDER
Respondents.)	
)	
)	
)	

17 Before the Court is Petitioner’s Motion for Partial Reconsideration or Clarification
 18 of the Court’s order of January 23, 2014, dismissing his motion to amend without prejudice.
 19 The Court construes Petitioner’s motion as a request for suspension of Local Rule Civil
 20 15.1(a), which provides that a party moving to amend shall attach the proposed amended
 21 pleading as an exhibit to the motion and shall indicate in what respect the proposed amended
 22 pleading differs from that which it amends.¹

23
 24 ¹ Petitioner notes in his motion that his “Reply to Motion to Amend and/or
 25 Supplement and Motion to Stay” filed December 23, 2013, requested in a footnote that he
 26 be exempted from Local Rule Civil 15.1(a). It is well settled that parties “cannot raise a new
 27 issue for the first time in their reply briefs.” *State of Nev. v. Watkins*, 914 F.2d 1545, 1560
 28 (9th Cir. 1990). More critically, requests for suspension of rules governing the form and
 filing of pleadings are not properly raised either in a reply brief or a footnote, but must be
 filed before or simultaneous with the proposed pleading. *See, e.g., D. Ariz. LR Civ 7.2(c)*
 (limiting length of motions and responsive briefs “[u]nless otherwise permitted by the

