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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

ANTONIO CORTEZ BUCKLEY,

Plaintiff,

vs.

A.K. SCRIBNER, et al.,

Defendants.

\_\_\_\_\_ /

CASE No. 1:04-cv-05622-LJO-MJS (PC)

ORDER GRANTING DEFENDANTS' EX  
PARTE REQUEST TO FILE  
SUPPLEMENTAL REPLY AND  
ALLOWING FOR PLAINTIFF'S SUR-  
REPLY

(ECF No. 93)

DEFENDANTS' SUPPLEMENTAL  
REPLY DUE OCTOBER 1, 2012

PLAINTIFF'S SUR-REPLY DUE  
OCTOBER 16, 2012

Plaintiff Antonio Cortez Buckley is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed on April 26, 2004 pursuant to 42 U.S.C. § 1983. (ECF No. 1.) This case proceeds on the claim in Plaintiff's First Amended Complaint that Defendants Dotson, Parangan, Jarralimillio, Peck, Lerman, and Ocegura violated his First Amendment right to free exercise of religion. (ECF Nos. 29, 48, 51.)

On July 11, 2012, Defendants filed a motion for summary judgment. (ECF No. 78.) On September 4, 2012, Plaintiff filed an opposition (ECF Nos. 85-89) and on

1 September 11, 2012, Defendants' filed a reply to the opposition. (ECF No. 94.)  
2 Defendants' also filed on September 11, 2012 an *ex parte* application to supplement  
3 their reply with additional evidence regarding the tallis, black yarmulkes and Kaballah  
4 prayers (ECF No. 93). Defendant's *ex parte* application is now before the Court.

5 GOOD CAUSE APPEARING, it is hereby ORDERED that:

- 6 1. Defendants may file, not later than October 1, 2012, a supplemental  
7 reply with additional evidence regarding the tallis, black yarmulkes, and  
8 Kaballah prayers; and,
- 9 2. Plaintiff may file, not later than October 16, 2012, a sur-reply in response  
10 to Defendants' supplemental reply.

11  
12 IT IS SO ORDERED.

13 Dated: September 13, 2012

*/s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE