UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JONAS DAVID SMITH,

Plaintiff,

v.

GEORGINA PUENTES, et al.,

Defendants.

/

CASE NO. 1:08-cv-01792-LJO-SMS PC

ORDER STRICTLY ENFORCING DEADLINE FOR DEFENDANTS' REPLY BRIEF

(Doc. 23)

Plaintiff Jonas David Smith has moved to strictly enforce the deadline for defendants' reply brief in their pending motion to dismiss the complaint under F.R.Civ.P. 12(b)(6) and to strike the punitive damages claim under F.R.Civ.P. 12(f) (doc. 23).

Paragraph 10 of the First Informational Order (doc. 2), dated November 24, 2008, provides for strict enforcement of all court deadlines and requires all requests for extension to be filed with the court before the deadline in question. Pursuant to the court's order dated December 15, 2008 (doc. 4), motions in this case must comply with L.R. 78-230(m), which provides that defendants' reply brief was to be filed no more than five days after plaintiff's opposition was filed, plus three days for mailing or electronic service. Plaintiff's opposition was filed on May 13, 2009 (doc. 21); defendants' reply was filed May 27, 2009 (doc. 27). Defendants' concede that the reply brief was filed late.

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Accordingly, this court hereby **ORDERS** that defendants' reply brief shall be disregarded.

IT IS SO ORDERED.

Dated: October 14, 2009

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE