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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

FLOYD SCOTT,

Plaintiff,

v.

J. PALMER, et al.,

Defendants.

CASE NO. 1:09-cv-01329-LJO-SKO PC

ORDER STRIKING SURREPLY

(Doc. 128)

On February 28, 2013, Plaintiff filed a surreply relating to Defendants' motion for reconsideration, which was filed on January 11, 2013.

Plaintiff does not have the right to file a surreply under the Federal Rules of Civil Procedure or the Local Rules, he did not seek leave of court, and the motion in question was granted on February 24, 2013.

Accordingly, Plaintiff's surreply is HEREBY ORDERED STRICKEN from the record. Ready Transp., Inc. v. AAR Mfg., Inc., 627 F.3d 402, 404-05 (9th Cir. 2010).

IT IS SO ORDERED.

**Dated: February 28, 2013**

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE