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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT QUINCY THOMAS,

Petitioner,

v.

DERRAL G. ADAMS, Warden

Respondent.

_____/

1:10-cv-00082-DLB (HC)

ORDER DISREGARDING PETITIONER'S RESPONSE TO RESPONDENT'S REPLY

[Doc. 22]

Petitioner filed the instant petition for writ of habeas corpus on January 15, 2010, and an amended petition on March 1, 2010. Pursuant to 28 U.S.C. § 636(c)(1), the parties consented to the jurisdiction of the United States Magistrate Judge. Local Rule 305(b).

On June 1, 2010, Respondent filed a motion to dismiss the instant petition. Petitioner filed an opposition on June 11, 2010, and Respondent filed a reply on June 16, 2010.

On June 21, 2010, the Court granted Respondent's motion to dismiss and the petition was dismissed.

On June 25, 2010, Petitioner filed a surreply to Respondent's reply to his opposition. Petitioner is advised that not only has the Court granted Respondent's motion to dismiss, such filing is inappropriate. Neither this Court's order to respond or the Federal Rules of Civil Procedure allow for the filing of a surreply, and Petitioner's surreply is HEREBY DISREGARDED.

IT IS SO ORDERED.

Dated: June 30, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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