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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PAUL C. HAMILTON,	CASE NO. 1:10-cv-001925-LJO-MJS PC
Plaintiff,	
v.	ORDER GRANTING DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S SUR- REPLY
J.A. YATES, et al.,	(ECF Nos. 30, 31)
Defendants.	

Plaintiff Paul C. Hamilton ("Plaintiff"), a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on July 14, 2008.

Pending before the Court is Defendants' motion to dismiss, filed on December 10, 2012. Plaintiff filed an opposition on December 26, 2012, Defendants filed a reply on January 30, 2013. The motion has been submitted upon the record. Local Rule 230(l). However, on January 15, 2013, Plaintiff filed a sur-reply. (ECF No. 30.) Defendants filed a motion asking that the Court strike Plaintiff's sur-reply. (ECF No. 31.) Plaintiff filed a reply (ECF No. 31) and Defendants filed an opposition (ECF No. 33).

No briefing on Defendants' motion to dismiss is permitted beyond the opposition and reply absent leave of court. The Court did not grant Plaintiff leave to file a sur-reply and the Court does not desire any further briefing on the motion. Accordingly, Defendants'

1 motion to strike Plaintiff's sur-reply is HEREBY GRANTED and Plaintiff's sur-reply is
2 STRICKEN from the record.

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IT IS SO ORDERED.

Dated: August 15, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE