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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

IRMA B. SANCHEZ,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION and SYDNEY SMYTH.

Defendants.

Case No. 1:12-cv-01835-SAB

ORDER DENYING APPLICATION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF IN EXCESS OF TWENTY-FIVE PAGES

(ECF No. 254)

On July 6, 2015, the Court granted in part Defendants' request to file an oversize brief for their motion for a new trial. On July 10, 2015, Defendants filed a thirty-five page memorandum of points and authorities in support of their motion for a new trial. The motion generally argued that there was no evidence to support the verdict or damages at trial. While Defendants set forth arguments regarding the testimony at trial, no transcripts were provided to support the arguments. Accordingly, the Court ordered Defendants to file supplemental briefing specifying the specific testimony that supported their arguments.

On November 5, 2015, Defendants filed an application for leave to file a supplemental memorandum in excess of twenty-five pages. The briefing which is currently due is merely for Defendants to provide citations to the record which support their arguments in the memorandum filed on July 10, 2015. The Court finds that there is no justification for a supplemental

memorandum in excess of twenty five pages. If Defendants choose to file a supplemental brief, it may not exceed ten pages in length.

If Defendants wish to file an amended points and authorities in support of the motion for new trial, the Court will disregard the points and authorities filed July 10, 2015 and consider only the amended memorandum. In that instance, Defendants' may file a thirty-five page brief.

Accordingly, IT IS HEREBY ORDERED that Defendants' application to file an oversize brief is DENIED, and Defendants' supplemental brief may not exceed ten-pages in length.

IT IS SO ORDERED.

Dated: **November 6, 2015**

UNITED STATES MAGISTRATE JUDGE