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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMAR HEARNS,

Plaintiff,

v.

ROSA GONZALES, et al.,

Defendants.

1:17-cv-00038-AWI-GSA (PC)

ORDER STRIKING SURREPLY
(ECF No. 48.)

Jamar Hearn (“Plaintiff”) is a former prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds against defendant Rosa Gonzales on Plaintiff’s claims for retaliation, violation of the Free Exercise Clause, and violation of the Bane Act. (ECF No. 21.)

On July 3, 2019, Plaintiff filed a surreply. (ECF No. 48.) The court denied Plaintiff leave to file a surreply on June 15, 2019. (ECF No. 47.) Therefore, Plaintiff’s surreply shall be stricken from the record.

A surreply is not allowed by the Federal Rules of Civil Procedure except by leave of court. Fed. R. Civ. P. 12(a)(1)(C). If Plaintiff believes he has a valid reason to file a surreply, he must submit a motion for leave to file a surreply explaining why the court should grant leave for him to file it. Also, the proposed surreply should be lodged with the court at the time the motion is filed.

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Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's surreply, filed on July 3, 2019, is STRICKEN from the record.

IT IS SO ORDERED.

Dated: July 9, 2019

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE