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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DONALD M. WANLAND, JR.,  
Defendant.

No. 2:13-cv-2343-KJM-KJN PS

ORDER

On December 5, 2016, the undersigned filed findings and recommendations recommending that the United States’ renewed motion for summary judgment be granted. (ECF No. 90.) After having received a lengthy extension of time, defendant, who is legally trained and a former member of the bar of this court, filed objections to the findings and recommendations. (ECF No. 93.) Thereafter, the United States filed a reply to defendant’s objections. (ECF No. 94.)

On March 2, 2017, defendant filed a request for leave of court to file a response to the United States’ reply to defendant’s objections to the findings and recommendations. (ECF No. 95.) Along with that request, defendant submitted several pages of briefing.

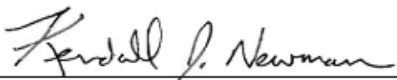
Defendant has had an adequate opportunity to present his arguments. It would be manifestly unfair to the United States to provide defendant with another bite at the apple, to which the United States would not have an opportunity to respond. Furthermore, the court’s rules

1 generally do not permit such surreplies, absent extraordinary circumstances, in light of the court's  
2 already overburdened docket and limited resources. No extraordinary circumstances exist here.  
3 To the extent that defendant feels that the United States did not address in its reply some of the  
4 contentions made by defendant in his objections, or that the United States somehow requested  
5 anything improper in its reply, the district judge is more than competent to evaluate the record  
6 and the parties' filings.

7 Accordingly, defendant's request (ECF No. 95) is DENIED and his additional response is  
8 STRICKEN.

9 IT IS SO ORDERED.

10 Dated: March 6, 2017

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13 KENDALL J. NEWMAN  
14 UNITED STATES MAGISTRATE JUDGE  
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