

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID ATZET,  
Petitioner,  
v.  
DANIEL PARAMO,  
Respondent.

No. 2:17-cv-1399 JAM KJN P

ORDER

Petitioner has requested an extension of time to file and serve a reply to respondent's December 29, 2017 reply regarding respondent's October 9, 2017 motion to dismiss. Petitioner states that respondent referred to numerous documents, identified by numerical designation, which prevents him from identifying the documents or responding thereto. Review of the reply reflects that respondent refers to various numbers<sup>1</sup> rather than specifically identifying the document by date or description. (ECF No. 30.) Review of respondent's certificate of service does not reflect service of these documents on petitioner. (ECF No. 31-1.)

Good cause appearing, petitioner is granted leave to file a sur-reply. Respondent is directed to provide petitioner with a copy of the documents lodged with the court on December 29, 2017, that bear the Bates numbers referred to by respondent.

---

<sup>1</sup> These numbers appear to refer to the Bates numbers centered at the bottom in parenthesis of each page of the documents submitted b respondent.

1 Petitioner is not required to append copies of such documents to his sur-reply, but should  
2 refer to the document by number. Respondent is granted leave to file a response to the sur-reply  
3 if he so chooses.

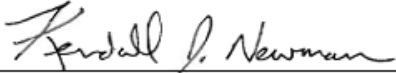
4 IT IS HEREBY ORDERED that:

5 1. Petitioner's motion for an extension of time (ECF No. 34) is granted; petitioner is  
6 granted leave to file a sur-reply to respondent's reply;

7 2. Within fourteen days from the date of this order, respondent shall provide petitioner  
8 with a copy of the documents lodged with the court on December 29, 2017, including assigned  
9 Bates numbers; and

10 3. Petitioner shall file and serve his sur-reply within ninety days from the date of this  
11 order. Respondent's response to the sur-reply, if any, shall be filed fourteen days thereafter.

12 Dated: January 30, 2018

13   
14 \_\_\_\_\_  
15 KENDALL J. NEWMAN  
16 UNITED STATES MAGISTRATE JUDGE

17 /atze1399.111  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28