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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDRE ANTONIO DUPREE,  
Petitioner,  
v.  
W. MUNIZ, Warden,  
Respondent.

No. 2:17-cv-2543 MCE AC P

ORDER

Petitioner is a state prisoner proceeding pro se with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Currently pending is respondent’s motion to dismiss this action as untimely, ECF No. 12, which petitioner has opposed, ECF No. 20. After extended time, respondent recently filed a detailed reply brief. ECF No. 27. Further briefing is not permitted absent court authorization. See Local Rule 230(b)-(d) (providing for a motion, opposition, and reply). A district court may allow a surreply “where a valid reason for such additional briefing exists[.]” Hill v. England, 2005 WL 3031136, at \*1, 2005 U.S. Dist. LEXIS 29357, at \*2-3 (Case No. 1:05-cv-0869 REC TAG) (E.D. Cal. Nov. 8, 2005). Because respondent’s reply is factually detailed and supported by exhibits that were not attached to the motion, the court finds it appropriate to provide an opportunity for petitioner to respond.

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Accordingly, IT IS HEREBY ORDERED that, within twenty-one (21) days after the filing date of this order, petitioner may file and serve a surreply responsive to respondent's reply brief and the pending motion to dismiss.

SO ORDERED.

DATED: November 27, 2018

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE