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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL C. TOMASINI,  
Plaintiff,  
v.  
JESSICA DUNCAN, et al.,  
Defendants.

No. 2:18-cv-3020 MCE CKD P

ORDER

On April 30, 2021, plaintiff filed a sur-reply with respect to a pending motion for summary judgment filed by defendants. Under local rule 230(1), sur-replies are not permitted without leave. As plaintiff did not seek leave to file a sur-reply, his sur-reply will be stricken.

Also, it appears that plaintiff is attempting to assert a cross-motion for summary judgment in a document filed May 3, 2021. The deadline for filing motions for summary judgment passed on March 15, 2021 and plaintiff does not seek leave to file a motion for summary judgment. Accordingly, plaintiff's cross-motion for summary judgment will be stricken as well.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's April 30, 2021 sur-reply is stricken; and
2. Plaintiff's May 3, 2021 cross motion for summary judgment is stricken.

Dated: June 4, 2021



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

l/mp  
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