

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CARLITO MISA,

Plaintiff,

v.

THE PAPE GROUP, INC. ET AL.

Defendants.

No. C 12-04934 CRB

**ORDER GRANTING MOTION TO  
STRIKE REQUEST FOR JURY  
TRIAL**

Defendants have moved to strike Plaintiff’s Demand for Trial by Jury (dkt. 10) as untimely. See Fed. R. Civ. P. 81(c). Plaintiff has not filed an opposition, and Defendants represent to the Court that counsel for Plaintiff verbally informed Defendants that Plaintiff did not intend to oppose it. The Court finds this matter suitable for disposition without oral argument. See N.D. Cal. Local R. 7-1(b).

Plaintiff’s jury demand came well after the fourteen-day deadline prescribed in Rule 81(c), and Plaintiff has offered no explanation for the delay. Untimely requests “must be denied unless some cause beyond mere inadvertence is shown.” Pac. Fisheries Corp. v. HIH Cas. & Gen. Ins., Ltd., 239 F.3d 1000, 1002 (9th Cir. 2001).

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Accordingly, the Court GRANTS Defendants' Motion to Strike Request for Jury Trial (dkt. 12).

**IT IS SO ORDERED.**

Dated: January 14, 2013

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE