

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|---------------------------|---|-------------------|
| DONALD E. JOHNSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:09CV689 AGF |
| |) | |
| RONALD C. NEIMAN, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's two motions for leave to file in excess of the page limitations and on his motion for leave to file a surreply.

Plaintiff seeks leave to file a lengthy brief in response to the Correctional Medical Services Defendants' motion for summary judgment, because the Court allowed these Defendants to file a brief in excess of the page limitations. Plaintiff has not informed the Court as to how many pages he requires to file an adequate brief. Defendants' brief is twenty-four pages. The Court finds that Plaintiff can adequately respond to Defendants' brief in thirty or fewer pages. Plaintiff may use as many pages as he requires when formulating his statement of material facts, and he may file as many exhibits as is necessary to support his claims.

Similarly, Plaintiff seeks leave to file a lengthy brief in response to the Missouri Department of Corrections Defendants' motion for summary judgment, because the

Court allowed these Defendants to file a brief in excess of the page limitations. Plaintiff has not informed the Court as to how many pages he requires to file an adequate brief. Defendants' brief is seventeen pages. The Court finds that Plaintiff can adequately respond to Defendants' brief in twenty-five or fewer pages. Plaintiff may use as many pages as he requires when formulating his statement of material facts, and he may file as many exhibits as is necessary to support his claims.

Plaintiff seeks leave to file a surreply to Defendants Yelverton and Motley's motion for summary judgment. Plaintiff has already filed the same surreply, and the Court previously permitted the surreply to be filed. As a result, the motion to file a surreply will be denied as moot.

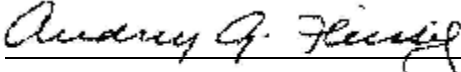
Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for leave to file a brief in excess of the page limitations [doc. # 242] in response to the Correctional Medical Services Defendants' motion for summary judgment is **GRANTED**. Plaintiff's brief shall not exceed thirty pages.

IT IS FURTHER ORDERED that Plaintiff's motion for leave to file a brief in excess of the page limitations [doc. # 243] in response to the Missouri Department of Corrections Defendants' motion for summary judgment is **GRANTED**. Plaintiff's brief shall not exceed twenty-five pages.

IT IS FURTHER ORDERED that Plaintiff's motion for leave to file a surreply [doc. #246] is **DENIED** as moot.

Dated this 7th day of March, 2011.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE