UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JOSEPH CHIDI ANORUO, Plaintiff, vs. ERIK K. SHINSEKI, Defendant.	Case No. 2:12-cv-01190-JCM-GWF **ORDER** Motion to Strike Sur-reply (#15)

This matter comes before the Court on Defendant's Motion to Strike Sur-reply (#15), filed on October 25, 2012. Defendant filed a Motion to Dismiss (#4) on September 6, 2012. Plaintiff filed his Response (#10) to the Motion to Dismiss on September 26, 2012, to which Defendant replied on October 5, 2012 (#12). Subsequently, Plaintiff filed a Sur-reply (#13) on October 18, 2012. Although Local Rule 7-2 does not provide for the filing of sur-replies, the Court may grant leave for a party to file a sur-reply. *See, e.g., Reva Int'l v. Mbraun, Inc.*, 2007 WL 4592216 at *6 n.4 (D. Nevada, December 28, 2007). Here, however, Plaintiff did not seek leave of the Court to file a sur-reply. Accordingly,

IT IS HEREBY ORDERED that Defendant Erk Shinseki's Motion to Strike Sur-reply (#15) is **granted.** The Clerk of the Court shall strike Plaintiff's Response to Motion to Dismiss (#13).

DATED this 26th day of October, 2012.

GEORGE FOLEY, JR.
United States Magistrate Judge

Dockets.Justia.com