Gayler v. High Desert State Prison et al Doc. 107

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BRANDY GAYLER, Plaintiff, v. HIGH DESERT STATE PRISON, et al, Defendants.	)	Case No. 2:14-cv-00769-APG-CWH **ORDER**

Presently before the Court is Movant Charles Wirth's reply (ECF No. 106) in support of his motion to join, filed on May 18, 2017. On May 19, 2017, the Court denied Mr. Wirth's motion (ECF No. 105) without having considered the reply, due to a delay in receiving that document in chambers. Since Mr. Wirth's reply was timely filed, the Court will review it to ensure it is duly considered.

In his reply, Mr. Wirth points out that there are significant commonalities between his and Plaintiff Brandyn Gayler's claims, and that Defendants overstate the differences between the claims. The Court acknowledges these arguments. However, the Court's decision to deny Mr. Wirth's motion was based on a finding that joinder would significantly prejudice both the Plaintiff and Defendants. Mr. Wirth's reply does not persuade the Court otherwise. The Court therefore finds no cause to withdraw or amend its order (ECF No. 105).

DATED: May 22, 2017.

C.W. Hoffman, Jr.
United States Magistrate Judge

Dockets.Justia.com