

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JAMES CHAVEZ,

Petitioner,

v.

LAGRAND, WARDEN, et al.,

Respondents.

Case No. 3:13-cv-00548-MMD-WGC

ORDER

Pending before the Court is petitioner's motion to accept surreply (dkt. no. 37), with which he asks the Court accept the surreply he filed on December 31, 2014 (dkt. No.36), in relation to respondents' pending motion to dismiss (dkt. no. 26). The Court finds that, under the circumstances present in this case, the additional points and authorities raised in the proposed surreply, as well as a response from the respondents, will benefit the Court in its adjudication of the motion to dismiss.

It is therefore ordered that petitioner's motion (dkt. no. 37) is granted.

It is further ordered that respondents shall have twenty (20) days from the date this order is entered within which to file their response to petitioner's surreply (dkt. no. 36). Upon the filing of respondents' response, or the conclusion of time allowed for such, respondents' motion to dismiss (dkt. no. 26) shall be deemed under submission for a decision by the Court.

DATED THIS 11th day of May 2015.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE