

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DANTE PATTISON,)	3:14-CV-0020-MMD (VPC)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	November 18, 2014
)	
THE STATE OF NEVADA, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

In September 2014, the court denied plaintiff's motion to exceed the page limit to file a sixty-one page motion for summary judgment together with 283 pages of exhibits (#45). The court ordered plaintiff's motion for summary judgment stricken, but granted plaintiff leave to refile his motion which shall be limited to thirty pages or less pursuant to Local Rule 7-4. *Id.*

Rather than reduce the size of his motion to thirty pages, plaintiff split his sixty-one page motion into two motions, one thirty-one pages in length (#50) and another twenty-nine pages in length (#51). The motions refer to one another and plaintiff asks the court to consider the motions in conjunction with one another.

Defendants have moved to strike plaintiff's two separate motions for summary judgment (#56) due to plaintiff's willful defiance of the court's order to reduce the size of his motion. Plaintiff filed an opposition and a cross-motion to strike the defendants' motion to strike (#59/60).

The court finds that plaintiff has willfully defied the court's order (#45) requiring him to reduce the size of his motion for summary judgment to thirty pages or less pursuant to Local Rule 7-4. Therefore, defendants' motion to strike plaintiff's two motions for summary judgment (#s 50 & 51) is **GRANTED**. Plaintiff's motions for summary judgment (#s 50 & 51) are hereby **STRICKEN**. Plaintiff may refile one motion which shall be limited to thirty pages or less pursuant to Local Rule 7-4. If plaintiff fails to comply with this order the court may impose

appropriate sanctions pursuant to Local Rule IA 4-1, and the court will *sua sponte* strike any future motions for summary judgment if they exceed the page limit set forth in this order. Plaintiff's cross-motion to **STRIKE** (#60) is **DENIED**.

Also before this court is plaintiff's motion to extend his legal copy work credit (#49) in the amount of an additional \$172.00. Defendants filed a limited opposition (#53), and plaintiff replied (#54). The amount of paper plaintiff has filed in this case in the last sixty days alone contradicts plaintiff's need for additional legal copy work credit (476 pages - #s 44, 47, 48, 49, 50, 51, 54, 58, 59 & 60) . Moreover, plaintiff is presently incarcerated at the Northern Nevada Correctional Center which has instituted an electronic filing system with the District of Nevada. Because of this program, plaintiff's need for copies will now be substantially reduced or eliminated because plaintiff will be retaining his original documents submitted for filing, and a copy will be electronically submitted to opposing counsel and the court. *See* Nevada Department of Corrections AR 723.

Nevertheless, the court will **GRANT** plaintiff a one-time opportunity to exceed his photocopy limit in the amount of \$10.00. The additional \$10.00 shall be added to plaintiff's prison account to be paid when plaintiff has funds available. The court cautions plaintiff that he should carefully consider the documents he intends to copy as the court will not allow plaintiff to exceed the copy limit by more than \$10.00 under any circumstance.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: _____ /s/
Deputy Clerk