

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*,
MARCO WHITE, MARK MITCHELL,
And LESLIE LAKIND

Plaintiffs,

vs.

No. 22-CV-284

COUY GRIFFIN,

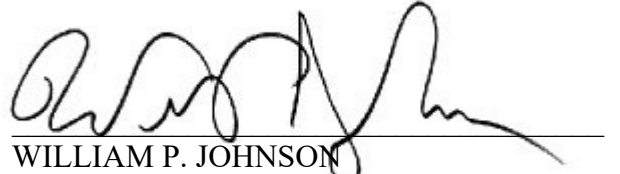
Defendant.

ORDER CLARIFYING PLEADINGS

THIS MATTER comes before the Court following Defendant’s Response in Opposition to Plaintiff’s Notice of Briefing Complete. *See* Doc. 26. In his opposition, Defendant asserts that his unopposed stance against Plaintiffs’ “Motion for Leave to File Three Excess Pages” for their reply brief to the Motion to Remand (Doc. 21) was contingent on the parties’ agreement that Plaintiffs wouldn’t object to Defendant’s future “Motion for Leave to File Three Excess Pages” for his reply brief to his Motion to Transfer—specifically, “to address any remand-related issues.” Defendant argues that Plaintiff breached this underlying agreement by notifying the Court that briefing on the remand issue was complete when in fact he had more to say in his reply brief on the Motion to Transfer. The Court, however, would not have allowed this underlying agreement. Defendant cannot have a second chance to assert arguments that should have been raised in his response to Plaintiff’s Motion to Remand.

Therefore, in resolving Plaintiff’ Motion to Remand, the Court will only consider the Motion (Doc. 10), Defendant’s Response (Doc. 15), and Plaintiff’s Reply (Doc. 23). If Defendant wishes to file a “Motion for Leave to File Three Excess Pages” for his reply brief to his Motion to

Transfer, he may day so. However, **IT IS ORDERED** that any arguments raised in Defendant's reply brief shall pertain to the issue of whether this case should be transferred to the District of Columbia.



WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE