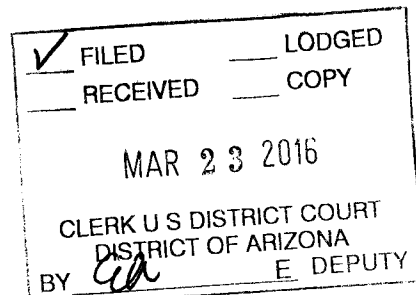


Brian Edward Malnes
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 928-774-4580



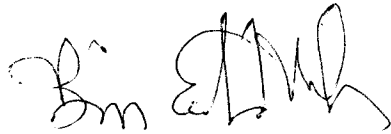
IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ARIZONA

Brian Edward Malnes,)	CV-16-08008-PCT-GMS
)	
)	
Plaintiff <i>Pro se</i> ,)	REPLY TO DEFENDANTS' RESPONSE
)	TO PLAINTIFF'S MOTION TO STRIKE
vs.)	
)	
)	
State of Arizona, Michele Reagan)	
)	
Defendants.)	
)	
)	<u>ORAL ARGUMENT REQUESTED</u>

Brian Edward Malnes (Plaintiff) comes before the Court to file a "Reply to Defendants' Response to Plaintiff's Motion to Strike." The Defendants in their, "Defendants' Response to Plaintiff's Motion to Strike [Doc. #27]," argue, "Rule 6(d) also provides for an additional three days whenever a motion is served 'under Rule 5(b)(2)(C), (D), (E), or (F).' Fed. R. Civ. P. 6(d). Plaintiff's Motion was served upon Defendants pursuant to Rule 5(b)(2)(E) on March 1, 2016." However, The Plaintiff did not file under the Rule that allows for the extra three days, instead the Plaintiff filed under Fed. R. Civ. P. 5(b)(3)—*Using Court Facilities*, which, by Rule, does not qualify the Defendants to an additional three days.

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4 THEREFORE, the Plaintiff requests the Court to disregard the Defendants Response
5 (Doc. 27), and refer to Plaintiff's original Motion to Strike (Doc. 25).
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13 Dated this 22nd of March 2016.
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18 Brian Edward Malnes

19 2157 W. Alaska Ave.

20 Flagstaff, AZ 86001

21 928-774-4580

22 malnes@me.com

23 Plaintiff, *Pro se*
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