

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Arizona Yage Assembly, et al. v. William Barr, et al.

Arizona Yage Assembly · No. CV-20-02373-PHX-DJH (ASB) · Decided April 20, 2026

SUMMARY

The United States District Court for the District of Arizona approved the parties’ stipulation regarding timeliness, granted Plaintiffs’ motion to deem their papers timely filed, and denied Plaintiffs’ motion for leave to file a reply concerning their Rule 72(a) objections. The court concluded that Plaintiffs had not shown good cause for a reply because Defendants’ response was adequately responsive and Plaintiffs had already had an opportunity to present their arguments.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Diane J. Humetewa
JURISDICTION	United States District Court for the District of Arizona
DECIDED	April 20, 2026
DOCKET	CV-20-02373-PHX-DJH (ASB)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs sought leave to file a reply in support of their objections under Federal Rule of Civil Procedure 72(a), and separately moved to deem their late-filed motion timely. The district court approved the parties' stipulation concerning timeliness, granted the motion to deem the papers timely filed, and denied leave to file the reply.
STANDARD OF REVIEW	The court applied the Federal Rules of Civil Procedure and evaluated whether plaintiffs demonstrated good cause or another legal basis for filing a reply to the response to their Rule 72(a) objections.
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil procedure
- pleadings

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

1. Whether the plaintiffs' motion for leave to file a reply to defendants' opposition to their Rule 72(a) objections should be permitted.
2. Whether the plaintiffs' untimely motion for leave to file a reply should be deemed timely filed.

HOLDINGS

1. Federal Rule of Civil Procedure 72(a) does not authorize a reply to a response to objections to a magistrate judge's order on a nondispositive matter; a party seeking to file such a reply must generally demonstrate good cause or another legal basis.
2. Plaintiffs did not demonstrate good cause for filing a reply to defendants' opposition.
3. The court granted the unopposed request to deem plaintiffs' motion for leave timely filed.

KEY QUOTATIONS

"It does not, however, authorize filing a reply to any response." (at 2)

"Because no reply brief is considered by either the Local or Federal Rules, a party seeking to file a reply must generally show good cause as to why the filing should be permitted." (at 2)

"In sum, good cause for a reply has not been demonstrated." (at 2-3)

FACTUAL BACKGROUND

The parties stipulated to a December 8, 2025 deadline for plaintiffs to file a motion for leave to reply, but plaintiffs filed the motion at approximately 12:02 a.m. on December 9. Plaintiffs attributed the delay to counsel's mistake while using the filing system, and defendants did not oppose deeming the filing timely. Plaintiffs argued that a reply was necessary because defendants allegedly introduced new legal theories and misstated facts, but the court found defendants' response fairly responsive and concluded that plaintiffs had already had an opportunity to address the relevant matters.

PROCEDURAL HISTORY

Plaintiffs filed Rule 72(a) objections and sought leave to reply to defendants' opposition. Their motion for leave was filed approximately two minutes after the stipulated deadline, prompting a motion to deem the papers timely filed. Defendants did not oppose that motion, and the court granted the timeliness relief but denied the requested reply because plaintiffs failed to demonstrate good cause.

DISPOSITION

other

CASES CITED

- Adams v. Symetra Life Ins. Co., 2020 WL 6469949, *1 n.1 (D. Ariz. 2020)
- Veseli v. Hacker-Agnew, 2019 WL 1676193, *2 (D. Ariz. 2019)

- Aguilar v. Shinn, 2022 WL 3921116, *2 (D. Ariz. 2022)
- Joseph v. Abrams, 2015 WL 13844902, *2 (D. Guam 2015)

OPINION

Arizona Yage Assembly, et al. v. William Barr, et al.

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 9 Arizona Yage Assembly, et al., No. CV-20-02373-PHX-DJH (ASB) 10 Plaintiffs, ORDER 11
v. 12 William Barr, et al., 13 Defendants. 14 15 On December 9, 2025, Plaintiffs Arizona Yage
Assembly and Winfield Scott 16 Stanley III (collectively, “Plaintiffs”) filed a Motion for Leave to
File a Reply to 17 Defendants’ Opposition (Doc. 370). Defendants filed a Response in Opposition
(Doc. 372) 18 to Plaintiffs’ Motion, and Plaintiffs then filed a Reply (Doc. 373). Previously, on
19 December 1, 2025, the parties filed a Stipulation of Defendants’ Non-Objection on
20 Timeliness Grounds to Plaintiffs’ Forthcoming Motion for Leave to File Reply (Doc. 368). 21
Plaintiffs have since filed a Motion to Deem Papers Timely Filed (Doc. 374), which also 22 relates
to Plaintiffs’ Motion for Leave to File Reply. Defendants did not respond to this 23 Motion. 24 In
their Stipulation, the parties requested that the Court set a December 8, 2025, 25 deadline for
Plaintiffs to file their motion for leave to file a reply brief. (Doc. 368 at 2). 26 Plaintiffs’ Motion
for Leave was ultimately filed on December 9, 2025. (See Doc. 370). 27 Consequently, Plaintiffs’
Motion to Deem Papers Timely Filed followed. In their Motion, 28 Plaintiffs claim that their
Motion was filed at 12:02 a.m. on December 9, 2025, and that 1 the untimeliness was due to
counsel’s mistake while using the filing system. (Doc. 374 2 at 2). As Defendants do not dispute
Plaintiffs’ request, the Court will grant both the 3 Stipulation and the Motion to Deem Papers
Timely Filed. However, the Court notes that 4 Plaintiffs have struggled to meet prescribed
deadlines throughout these proceedings. 5 Deadlines are taken seriously, and greater effort to
submit timely filings must be made. 6 As to the Motion for Leave to File a Reply, Plaintiffs argue
that a reply in support 7 of their Rule 72(a) objections is necessary because Defendants introduce
new legal theories 8 and contains factual misstatements. (Doc. 370 at 3). Defendants disagree,
contending that 9 their opposition only responds to the arguments raised by Plaintiff and
summarizes facts 10 already on the Court’s docket. (Doc. 372 at 2). 11 Federal Rule of Civil
Procedure 72(a) allows a party to file objections to a magistrate 12 judge’s order on a
nondispositive matter. Fed. R. Civ. P. 72(a). It does not, however, 13 authorize filing a reply to any
response. See *id.*; *Adams v. Symetra Life Ins. Co.*, 2020 WL 14 6469949, *1 n.1 (D. Ariz. 2020).
And, while Local Rule of Civil Procedure 7.2(d) permits 15 replies to motions, “objections are not
motions.” *Veseli v. Hacker-Agnew*, 2019 WL 16 1676193, *2 (D. Ariz. 2019); LRCiv. 7.2(d).
Because no reply brief is considered by either 17 the Local or Federal Rules, a party seeking to file

a reply must generally show good cause 18 as to why the filing should be permitted. See, e.g., Aguilar v. Shinn, 2022 WL 3921116, 19 *2 (D. Ariz. 2022) (finding that the plaintiff failed to show good cause or other legal basis 20 to warrant filing a reply to his Rule 72(b) objection). 21 Upon review, Defendants' Response is fairly responsive to the arguments raised by 22 Plaintiffs' objections. Moreover, the Court is able to review the record itself and need not 23 rely on either party's characterization of it. See Joseph v. Abrams, 2015 WL 13844902, *2 24 (D. Guam 2015) ("It is unremarkable that the parties may feel that each is mischaracterizing 25 the other's arguments and trying to pull the wool over the Court's eyes. Responses and 26 replies have to end somewhere, and under Rule 72(b) they end with each party's response 27 to the other's objections."). Lastly, Plaintiffs' proposed reply, in large part, discusses the 28 parties' discovery history and augments their arguments as to why their untimely 1 || objections should be accepted. Plaintiffs had ample opportunity to address these items in their initial filing because they should have known the pertinent parts of the record and 3 || were well aware their objections were late. Any other arguments can be decided on the basis of the objection and the response. In sum, good cause for a reply has not been || demonstrated. The Court's ruling on Plaintiffs' Rule 72(a) objection will follow in due 6 || course. 7 Accordingly, 8 IT IS ORDERED that the parties' Stipulation of Defendants' Non-Objection on 9|| Timeliness Grounds to Plaintiffs' Forthcoming Motion for Leave to File Reply (Doc. 368) 10]) is APPROVED. 11 IT IS FURTHER ORDERED that Plaintiffs' Motion to Deem Papers Timely Filed (Doc. 374) is GRANTED. 13 IT IS FINALLY ORDERED that Plaintiffs' Motion for Leave to File a Reply to Defendants' Opposition (Doc. 370) is DENIED. 15 Dated this 20th day of April, 2026. 16 17 oC. . oe □□ □ 18 norable' Diangé4. Hunietewa 19 United States District Judge 20 21 22 23 24 25 26 27 28 _3-