

STATE OF MINNESOTA
IN COURT OF APPEALS



Jerry L. Moore,

Respondent,

vs.

John Hoff

a/k/a Johnny Northside,

Appellant.

O R D E R

#A11-1923

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:

1. This appeal was filed on October 27, 2011.
2. Minnesota Pro Chapter, Society of Professional Journalists, the Reporters Committee for Freedom of the Press, and Silha Center for the Study of Media Ethics & Law filed a motion for leave to participate in this appeal as amici curiae. Respondent opposed the motion. In an order filed on December 8, 2011, a special term panel of this court granted the motion for leave to participate as amici curiae.
3. On January 30, 2012, appellant's brief was filed. On February 2, 2012, the amicus brief was filed by mail. Respondent's brief was due on Monday, March 4, 2012. *See* Minn. R. Civ. App. P. 131.01, subd. 2, 125.03, 126.01.
4. On March 5, 2012, appellant filed a motion by mail to strike the amicus brief and a separate motion for an extension of respondent's briefing deadline. Counsel for the amici curiae opposes the motion to strike.

5. Respondent has not established that the amicus brief should be stricken. The panel to be assigned to consider the appeal on the merits will be in the best position to determine whether to reach all of the issues in the amicus brief and the weight to be given to the arguments of the amici curiae. But striking the brief at this time is not warranted.

6. Respondent states that the brief is 75% completed. We will grant a reasonable extension to complete the brief.

IT IS HEREBY ORDERED:

1. Respondent's motion to strike the amicus brief is denied.
2. Respondent's motion for an extension of time to file the brief is granted.

Respondent's brief shall be served and filed by March 22, 2012.

Dated: March 14, 2012

BY THE COURT

/s/
Matthew E. Johnson
Chief Judge