

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

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in re DAVID STEBBINS, Petitioner)	Case 26-1398
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**MOTION TO STRIKE REPLY TO RESPONSE TO MOTION TO RECONSIDER AND
FOR SANCTIONS**

Comes now, pro se Plaintiff David Stebbins, who hereby submits the following Motion to Strike Docket Entry #13, the Defendants' Reply to my Response to their Motion to Reconsider.

1. Rather than address the rebuttal arguments I provide in the Response, the Defendant instead concedes to the validity of one of them (while ignoring the rest entirely) and instead proceeds to offer brand new, never-before-seen evidence that was not included in the original motion or anywhere in the district court proceedings below.
2. This is procedurally improper, as the filings for that motion are now closed, so I have no further opportunity to argue against this new evidence. See *Hunt v. Nuth*, 57 F.3d 1327, 1338 (4th Cir. 1995) (explaining that “courts generally will not address new arguments raised in a reply brief because it would be unfair”).
3. The Defendants have been reprimanded by the District Court for this behavior once already. See ECF 12, Page 2 in the related district court case (“in which the Defendants improperly raise new arguments” citing *Hunt*). They clearly have not learned their lesson.
4. At a minimum, their reply should be stricken, as it makes no arguments except the one, which is improper. However, this Court *should* proceed with actually *sanctioning* the Defendant, since, as I just explained, this is their second offense of the same sort in this case.

So requested on this, the 23rd day of April, 2026.

/s/ David Stebbins
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