

ENTERED

September 08, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

TERRY PETTEWAY, *et al.*,

Plaintiffs,

VS.

GALVESTON COUNTY, TEXAS,
et al.,

Defendants.

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3:22-CV-57

ORDER

The court has considered Michael Shannon and Cheryl Johnson’s deposition excerpts, which the Petteway plaintiffs offer as rebuttal evidence. PX-608, 609. The defendants have objected to this as improper rebuttal evidence.

The court agrees with the defendants. This is improper rebuttal evidence, and the plaintiffs had an adequate opportunity to present this evidence in their case-in-chief. Accordingly, the court sustains the defendants’ objection and refuses to admit this evidence into the record.

Signed on Galveston Island this 8th day of September, 2023.



JEFFREY VINCENT BROWN
UNITED STATES DISTRICT JUDGE