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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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Joshua Bloom,

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No. CV-12-1999-PHX-FJM

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Petitioner,

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No. CV-12-2337-PHX-FJM

11

vs.

)

**ORDER**

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United States Department of Treasury,

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Respondent.

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United States of America,

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Plaintiff,

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vs.

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Rolls Royce Phantom Sedan 2004, VIN #)  
SCA1S68444UX07410,

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Defendant.

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Before the court is petitioner Joshua Bloom’s motion to extend the time to file an appeal (doc. 23, 12-CV-1999; doc. 25, 12-CV-2337). Bloom seeks an additional 60 days in which to file a notice of appeal of our orders denying his motions to set aside default and re-open cases. (doc. 22, 12-CV-1999; doc. 24, 12-CV-2337). The Government has not filed objections to the motions.

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The orders from which Bloom hopes to appeal were filed on September 20, 2013.

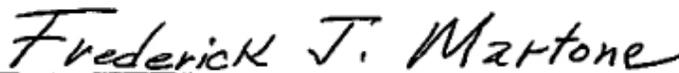
1 Therefore, the deadline for filing an appeal was November 20, 2013. Fed. R. App. P.  
2 4(a)(1)(B) (60-day deadline to appeal when any party is the United States). A motion to  
3 extend the time to appeal must be filed with the district court “no later than 30 days after the  
4 time prescribed by Rule 4(a) expires” and the moving party demonstrates “excusable neglect  
5 or good cause.” Fed. R. App. P. 4(a)(5)(A)(i) and (ii). Because Bloom filed his motion for  
6 extension of time within the 30-day window, the only question before us is whether Bloom  
7 has demonstrated good cause or excusable neglect.

8 Bloom contends that good cause exists because he was adjudicated incompetent by  
9 Judge *Pro Tem* Barbara Spenser in the Superior Court of Arizona in Maricopa County and  
10 he is still undergoing court-ordered competency restoration.

11 We agree that Bloom’s adjudicated lack of competency in the Superior Court  
12 constitutes good cause for a 60-day continuance of time to perfect an appeal.

13 Therefore, **IT IS ORDERED GRANTING** petitioner’s motions for extension of time  
14 (doc. 23, 12-CV-1999; doc. 25, 12-CV-2337). Petitioner or his legal guardian must file a  
15 notice of appeal on or before January 20, 2014.

16 DATED this 9<sup>th</sup> day of December, 2013.

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19 **Frederick J. Martone**  
20 **Senior United States District Judge**  
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