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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Joshua Bloom,
Petitioner,
vs.
United States Department of Treasury,
Respondent.

United States of America,
Plaintiff,
vs.
Rolls Royce Phantom Sedan 2004, VIN #)
SCA1S68444UX07410,
Defendant.

) No. CV-12-1999-PHX-FJM
)
) No. CV-12-2337-PHX-FJM

ORDER

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.

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

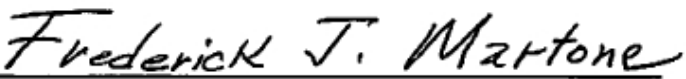
1 Therefore, the deadline for filing an appeal was November 20, 2013. Fed. R. App. P.
2 4(a)(1)(B) (60-day deadline to appeal when any party is the United States). A motion to
3 extend the time to appeal must be filed with the district court “no later than 30 days after the
4 time prescribed by Rule 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 9th day of December, 2013.

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19 Frederick J. Martone
20 Senior United States District Judge
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