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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRUCE ERVIN TURNER,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE
TREASURY Financial Crimes Enforcement
Network,

Defendant.

Case No. 1:15 -cv-00007-LJO-SKO

**EX PARTE APPLICATION
AND ORDER FOR EXTENSION OF
TIME TO RESPOND TO
COMPLAINT**

I, Benjamin E. Hall, declare as follows:

1. I am an Assistant United States Attorney in the Eastern District of California. I am licensed to practice law in the State of California and before this Court. I am familiar with the pleadings and documents pertaining to the above-captioned lawsuit. I have personal knowledge of the facts stated in this declaration and, if called as a witness, could competently testify to these facts.

2. Pursuant to Local Rule 144(c) of the United States District Court for the Eastern District of California, I make this initial ex parte request for a 28-day extension of time until August 25, 2015, for defendant, United States Department of the Treasury Financial Crimes Enforcement Network, to submit its answer or otherwise respond to plaintiff's Complaint.

3. Plaintiff, an inmate confined at the California Correctional Institution, filed his Complaint (ECF No. 1) on January 5, 2015. The Court screened the Complaint pursuant to 28 U.S.C. § 1915A and entered an Order (ECF No. 6) finding that plaintiff's Complaint stated a cognizable claim under the Freedom of Information Act. Process was served upon the United States

1 Attorney's Office in Sacramento on May 29, 2015, and the case was assigned to me for handling on
2 June 18, 2015, while I was out of the state on annual leave.

3 4. I have requested but not yet received information from the U.S. Department of the
4 Treasury regarding the FOIA request that is the subject of plaintiff's Complaint. I request this
5 extension in order to allow time for the agency to collect and provide information concerning the
6 facts of this matter. No prior extension has been requested. Because plaintiff is incarcerated, it is
7 not reasonably practicable to obtain an extension by stipulation.

8 5. This Ex Parte Application is not submitted for the purpose of undue delay or for any
9 improper purpose and will not impact any existing scheduling dates or cause prejudice to any party
10 to this litigation.

11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct. Executed this 22nd day of July, 2015, at Fresno, California.

13
14 /s/ Benjamin E. Hall
15 Benjamin E. Hall
16 Assistant United States Attorney

17 **ORDER**

18 IT IS HEREBY ORDERED that defendant shall answer or otherwise respond to plaintiff's
19 Complaint on or before August 25, 2015.

20
21 IT IS SO ORDERED.

22 Dated: July 25, 2015

23 /s/ Sheila K. Oberto
24 UNITED STATES MAGISTRATE JUDGE