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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

ZAKARY COPELAND,)	Case No.: 1:15-CV-00096-BAM
Plaintiff,)	
vs.)	ORDER GRANTING PLAINTIFF'S
CAROLYN W. COLVIN, Acting)	MOTION TO MODIFY SCHEDULING
Commissioner of Social Security,)	ORDER
Defendant.)	(Doc. 13)
)	
)	
)	

Plaintiff Zakary Copeland, proceeding in forma pauperis, initiated this action on January 20, 2015. (Doc. 1.) Defendant Commissioner of Social Security lodged the certified administrative record on June 10, 2015. (Doc. 8.) Thereafter, on July 16, 2015, the Court granted Plaintiff's request for an extension of time to August 12, 2015, in which to submit a confidential letter brief to Defendant. (Doc. 10.) On August 12, 2015, the Court granted the parties' joint stipulation for a second extension of time until September 11, 2015, for Plaintiff to serve his confidential letter brief. The requested extension was due to a serious illness in Plaintiff's counsel's family. (Doc. 12.)

1 On November 2, 2015, Plaintiff submitted an untimely motion for a third extension of
2 time to submit his confidential letter brief. (Doc. 13.) Plaintiff's counsel, a solo practitioner,
3 represents that additional time is needed due to a critical illness in her family. According to
4 counsel's declaration, her father was hospitalized in the Critical Care Unit with a life-threatening
5 illness in August and September 2015. He was later transferred to a rehabilitation facility in
6 mid-September 2015. Plaintiff's counsel has been traveling to and from her residence in
7 Oakland, California to the hospital and rehabilitation center in Fresno, California. Due to these
8 circumstances, counsel failed to timely serve the confidential letter brief. (Doc. 13, Declaration
9 of Melissa Newel ("Newel Dec.") ¶ 2.) Plaintiff requests an extension of time to November 17,
10 2015, to submit his confidential letter brief. Defendant's counsel reportedly does not oppose the
11 motion requesting an extension of time. (Newel Dec. ¶ 3.)

12 Having considered Plaintiff's unopposed motion and finding good cause, IT IS HEREBY
13 ORDERED that Plaintiff's motion to modify the Scheduling Order is GRANTED. Plaintiff
14 shall have an extension of time to November 17, 2015, to serve his confidential letter brief.
15 Defendant will not be prejudiced by the brief extension of time. All other deadlines set forth in
16 the January 22, 2015 Scheduling Order shall be extended accordingly.
17 IT IS SO ORDERED.

18 Dated: November 3, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE