

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRESNO STATE STUDENTS FOR LIFE;
BERNADETTE TASY; and JESUS
HERRERA,

Plaintiffs,

v.

WILLIAM GREGORY THATCHER,
Defendant.

Case No. 1:17-cv-00657-DAD-SKO

**ORDER GRANTING DEFENDANT’S
MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE PLEAD**

(Doc. 10)

ORDER

On May 11, 2017, Plaintiffs Fresno State Students for Life, Bernadette Tasy, and Jesus Herrera (collectively “Plaintiffs”) filed this action against Defendant William Gregory Thatcher, alleging that Defendant infringed on Plaintiffs’ free speech rights when he and others at his direction erased anti-abortion messages Plaintiffs had written in chalk on the campus of California State University, Fresno. (Doc. 1.) Defendant was served with the summons and complaint by personal service on May 23, 2017. (Doc. 9.) Pursuant to Rule 12(a)(1)(A)(i), of the Federal Rules of Civil Procedure, Defendant’s response to the complaint was due June 13, 2017.

On June 13, 2017, the same day his responsive pleading was due, Defendant, proceeding *pro se*, filed the present Motion for Extension of Time to Answer or Otherwise Plead (the “Motion”). (Doc. 10.) In the Motion, Defendant requests that his responsive pleading deadline be

1 extended by twenty-eight (28) days on grounds that he has “encountered difficulty retaining
2 counsel in this matter and requires the additional time to inquire, consult and retain an attorney.”
3 (*Id.*) The Motion indicates Plaintiffs’ counsel has agreed to an enlargement of fourteen (14) days,
4 “with consent for an additional 14 days if Defendant encountered extended difficulty retaining
5 counsel.” (*Id.*)

6 Finding that good cause for the extension has been shown, the Court hereby GRANTS the
7 Motion. The Court notes, however, that requests for extensions of time are governed by Rule 144
8 of the Local Rules of the United States District Court, Eastern District of California (“Local
9 Rules”). Local Rule 144(d) explains that “[r]equests for Court-approved extensions brought on
10 the required filing date for the pleading or other document are looked upon with disfavor.”
11 Defendant is ADVISED that any future requests for extensions of time shall be brought in advance
12 of the required filing date.

13 Based on the foregoing, it is HEREBY ORDERED that Defendant shall file a response to
14 the complaint on or before July 11, 2017.

15
16 IT IS SO ORDERED.

17 Dated: June 14, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

18
19
20
21
22
23
24
25
26
27
28