

1 JAMES HUNT MILLER (CA BAR # 135160)  
 2 P.O. Box 10891  
 3 OAKLAND CA 94610  
 4 P: (510) 451-2132  
 5 F: (510) 451-0824  
 6 e: jameshuntmiller@yahoo.com  
 7 Attorney for Plaintiff

8 IN THE UNITED STATES DISTRICT COURT FOR  
 9 THE NORTHERN DISTRICT OF CALIFORNIA

11 DEYANIRA BANUELOS,  
 12 FOR C.B.V. (A MINOR),

13 Plaintiff,

14 vs.

15 Commissioner of the  
 16 Social Security  
 17 Administration,

18 Defendant.

No. 12-1961 LHK

Plaintiff's Unopposed  
 Motion for Extension of Time  
 to File Motion for Summary  
 Judgment and/or Remand

19 MOTION.

20 Plaintiff hereby requests additional time in which to file Plaintiff's Motion  
 21 for Summary Judgment. Pursuant to the time allowed in the Procedural Order (28  
 22 days from Defendant's service of the answer/record on October 25), plus time  
 23 allowed in F.R.Civ.P. Rules 6(e) and 5(e) (3 days), and weekend terminus day,  
 24 Plaintiff's motion was to be filed by today, November 26. Plaintiff seeks a 28-day  
 25 extension, or until December 24, 2012. Such extension would change Defendant's  
 26 filing deadlines by as much as 28 days, and would make the eventual submission  
 27 of the case for decision as much as 28 days later.

28 Defendant, through counsel Special Assistant U.S. Attorney Lynn Harada,

1 stated (by e-mail) to Plaintiff's counsel that Defendant does not oppose this  
2 request. Plaintiff submits and requests that no hearing is necessary in this motion,  
3 as is usual in Social Security litigation (per the Procedural Order), and also because  
4 Defendant would not be harmed by the extension and Defendant does not oppose  
5 the request.

6 RESPECTFULLY SUBMITTED on this 26th day of November, 2012.

7  
8 /s/  
9 James Hunt Miller, Attorney for Plaintiff

10 ORDER (PROPOSED)

11 PURSUANT TO PLAINTIFF'S UNOPPOSED MOTION, IT IS  
12 ORDERED that Plaintiff may have a 28-day extension, or until December 24,  
13 2012, in which to file a motion for summary judgment.

14 DATE: November 27, 2012

15 Lucy H. Koh  
16 United States District Judge  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28