

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JOSEPH D. AGOSTINO,

Plaintiff,

v.

Case No: 2:17-cv-135-FtM-99CM

CITY OF CAPE CORAL, CODE  
ENFORCEMENT CITY OF CAPE  
CORAL, MARINA SAWICKI,  
SUZANNE NAUGHTON,  
RICHARD LEON, CAROL RALL  
and HAROLD S. ESKIN,

Defendants.

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**ORDER**

This matter comes before the Court upon review of Plaintiff's Motion for Extension (Doc. 12) filed on March 24, 2017. On March 6, 2017, Plaintiff, who is proceeding *pro se*, filed a Complaint against Defendants. Doc. 1. On March 16, 2017, Defendant City of Cape Coral filed a Motion to Dismiss on the grounds that the Complaint is not sufficient, was not properly served, and fails to state a claim upon which relief can be granted. Doc. 10. Plaintiff's response to the Motion to Dismiss is due March 30, 2017. Plaintiff seeks to extend the deadline for his response by twelve (12) days because of his illness.<sup>1</sup> Doc. 12. Because Plaintiff is proceeding *pro se* and shows good cause, the Court will grant the requested relief.

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<sup>1</sup> Although Plaintiff does not explicitly state what deadline he is seeking to extend, it appears that he is seeking to extend the deadline for his response to the Motion to Dismiss. Doc. 10.

The Court reminds Plaintiff, however, that Plaintiff's motions must comply with Local Rule 3.01(g). Local Rule 3.01(g) requires that each motion filed in a civil case, with certain enumerated exceptions not at issue here, contain a statement "stating whether counsel agree on the resolution of the motion," and further provides that a statement to the effect that counsel for the moving party attempted to confer with counsel for the opposing party but counsel was unavailable is "insufficient to satisfy the parties' obligation to confer." M.D. Fla. R. 3.01(g).

ACCORDINGLY, it is hereby

**ORDERED:**

1. Plaintiff's Motion for Extension (Doc. 12) is **GRANTED**.
2. Plaintiff shall have up to and including **April 11, 2017** to respond to the Motion to Dismiss (Doc. 10).

**DONE** and **ORDERED** in Fort Myers, Florida on this 29th day of March, 2017.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record  
Joseph D. Agostino *pro se*