

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

HSBC BANK USA, NATIONAL
ASSOCIATION, as Trustee under the
pooling and servicing agreement dated
as of November 1, 2005, Fremont
Home Loan Trust 2005-D

Plaintiff,

v.

Case No: 2:17-cv-720-FtM-29CM

OWEN BEDASEE and SANDIE
BEDASEE,

Defendants.

ORDER

This matter comes before the Court upon review of Defendants' Motion for Three Days Expansion of Time to File Reply to Plaintiff's Complaint (Doc. 20) filed on March 23, 2018, construed as a motion to extend the time to file an Answer to Plaintiff's Complaint. When Defendants' initial reply to Plaintiff's Complaint was stricken on March 9, 2018, the Court ordered Defendants to file an Answer in compliance with the Federal Rules of Civil Procedure within fourteen (14) days. Doc. 19. Defendants seek to extend the deadline for the Answer by three (3) days because it took five (5) days for the Defendants to receive the Court's Order from March 9, 2018, and prolonged computer use to review, correct, and compile the Answer has an adverse effect on Defendant Owen Bedasee's eyes. *See* Doc. 20 at 1-2. Because Defendants are currently proceeding *pro se* and show good cause, the Court will grant the requested relief. Although the Defendants are requesting three (3) additional

days, the Court will allow a total of ten (10) additional days to provide sufficient time for Defendants to receive notice of this Order. Defendants shall therefore have up to and including April 2, 2018 to file their Answer.

Defendants should be mindful that even if they are proceeding *pro se*, they “must follow the rules of procedure,” and “the district court has no duty to act as a pro se party’s lawyer.” *United States v. Hung Thien Ly*, 646 F.3d 1307, 1315 (11th Cir. 2011); *Harvick v. Oak Hammock Pres. Cmty. Ass’n Inc.*, No. 6:14-cv-937, 2015 WL 667984, at *2 (M.D. Fla. Feb. 17, 2015). Accordingly, the Court reminds Defendants that their 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 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). Defendants’ inability to communicate with Plaintiff’s counsel due to the “time of day” is likewise insufficient.

ACCORDINGLY, it is hereby

ORDERED:

Defendants’ Motion for Three Days Expansion of Time to File Reply to Plaintiff’s Complaint (Doc. 20) is **GRANTED**. Defendants have up to and including April 2, 2018 to file their Answer to Plaintiff’s Complaint.

DONE and **ORDERED** in Fort Myers, Florida on this 26th day of March, 2018.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record

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