

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

GERALD BUTLER,

Plaintiff,

v.

CASE NO. 1:07-cv-22-SPM-GRJ

JOHN E. POTTER,

Defendant.

_____ /

ORDER

Pending before the Court are: (1) a motion entitled "Motion Plaintiff Is Seeking Legal Counsel" (Doc. 85) and (2) Plaintiff's Motion For Extension. (Doc. 86.) In the Court's Order, dated May 3, 2011, the Court directed Plaintiff to respond to the Defendant's pending motion for summary judgment by June 2, 2011. (Doc. 83.) Plaintiff now requests an additional 30 days within which to respond to the motion for summary judgment. Defendant opposes Plaintiff's request for a 30 day extension because the motion for summary judgment has been pending for more than 7 months. The Court agrees that Plaintiff has had more than ample time to prepare and file a response tot he motion for summary judgment. This case is more than four years old and therefore it is necessary to move this case to resolution as expeditiously as possible. In view of the fact that the response is due next week the Court will grant Plaintiff additional time to file his response but not the full 30 days. Accordingly, Plaintiff shall file his response to the motion for summary judgment no later than **June 20, 2011**. The Court will take the motion for summary judgment under advisement the following day whether or not Plaintiff files a response. Plaintiff is cautioned that the Court will not grant any further

requests for extension of time absent extraordinary circumstances.

Plaintiff also filed a motion requesting the Court to appoint legal counsel to assist him. As Defendant point out in his response the Court has denied Plaintiff's previous seven requests for the appointment of counsel. (Doc. 88.) For the reasons previously expressed by the Court Plaintiff's motion for the appointment of legal counsel is due to be **DENIED**.

Accordingly, upon due consideration, it is **ORDERED** that:

1. Plaintiff's Motion For Extension (Doc. 86) is **GRANTED** to the limited extent that Plaintiff shall have until **June 20, 2011** to file his response to Defendant's motion for summary judgment. The Court will take this matter under advisement the next day. The clerk is directed return the file to the undersigned on June 21, 2011.
2. Plaintiff's Motion Seeking Legal Counsel (Doc. 85) is **DENIED**.

DONE AND ORDERED this 27th day of May 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge