

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

DOUGLAS REED,

Plaintiff,

v.

BANK OF AMERICA
CORPORATION; BAC LOAN
SERVICING, LP; RECONTRUST
COMPANY, N.A.; and FEDERAL
NATIONAL MORTGAGE
ASSOCIATION,

Defendants.

Case No. 1:11-cv-00124-BLW

ORDER

The Court has before it Plaintiff's Motion to Delay (Dkt. 32). Plaintiff, who currently represents himself pro se, asks the Court for an extension of time to respond to Defendant's Motion to Dismiss so that he can retain counsel. Plaintiff was initially represented by counsel in this case, but counsel moved to withdraw. The Court granted that motion and gave Plaintiff the time required by the rules to either enter an appearance pro se or retain counsel. Plaintiff did not formally enter an appearance, but he did file an Amended Complaint on August 26, 2011 which indicated that he was representing himself.

On September 9, 2011, Defendants filed its Motion to Dismiss and Motion to Take

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Judicial Notice. Plaintiff failed to timely respond. Although the Court mailed Plaintiff a Notice to Pro Se Litigants of the Summary Judgment Rule on September 12, 2011, Plaintiff states that he did not receive it. Defendants then filed a Motion for Sanctions on October 4, 2011. A response to that motion is due October 28, 2011.

Plaintiff now asks the Court for a “small delay” before the Court addresses the Motion to Dismiss so he can retain counsel to represent him. The Court is concerned about the delays in this case thus far. However, the Court will grant Plaintiff a short extension of time to retain counsel and respond to the Motion to Dismiss and Motion to Take Judicial Notice so that he can retain counsel. The Court will extend the deadline for responding to the motions to October 28, 2011, which is the current response deadline for the Motion for Sanctions.

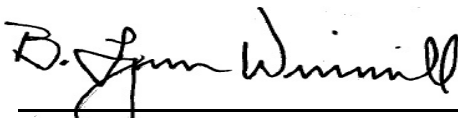
ORDER

IT IS ORDERED:

1. Plaintiff’s Motion to Delay (Dkt. 32) is **GRANTED**. Plaintiff shall file his response to Defendant’s Motion to Dismiss, Motion to Take Judicial Notice, and Motion for Sanctions on or before **OCTOBER 28, 2011**.

DATED: **October 13, 2011**





B. LYNN WINMILL
Chief U.S. District Court Judge