

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SCOTT PETERS,

Plaintiff,

v.

K. BUTLER, *et al.*,

Defendants.

Case No. 16-cv-382-JPG-DGW

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Scott Peters' objection (Doc. 32) to Magistrate Judge Donald G. Wilkerson's May 4, 2016, order (Doc. 29) allowing the defendants' an additional 30 days to respond to Peters' complaint and setting the same deadline for the defendants to respond to Peters' motion for a preliminary injunction ("PI"). Peters believes 14 additional days are sufficient. The Court also considers Peters' motion to deny the extension given by Magistrate Judge Wilkerson (Doc. 33).

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). The Court may also *sua sponte* reconsider any matter determined by a magistrate judge. L.R. 73.1(a); *Schur v. L.A. Weight Loss Ctrs., Inc.*, 577 F.3d 752, 760 (7th Cir. 2009).

Magistrate Judge Wilkerson's order is not clearly erroneous or contrary to law, and the Court sees no independent reason to reconsider it. Extensions of 30 days to respond to a complaint are usually reasonable and are routinely granted. Such an extension was justified by the reasons set forth in the defendants' motion for an extension of time (Doc. 21). The Court further notes that, although Peters' motion for injunctive relief (Doc. 6) includes a request for a

temporary restraining order (“TRO”), that relief was denied in the Court’s threshold review order (Doc. 11), leaving only his request for a PI (Doc. 12). A request for a PI does not have the urgency of a request for a TRO, and the deadline set is an appropriate exercise of Magistrate Judge Wilkerson’s discretion.

For these reasons, the Court:

- **AFFIRMS** Magistrate Judge Wilkerson’s May 4, 2016, order (Doc. 29);
- **OVERRULES** Peters’ objection (Doc. 32); and
- **DENIES** Peters’ motion to deny the defendants’ an extension of time (Doc. 33).

IT IS SO ORDERED.

DATED: May 16, 2016

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE