

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

JACK HEITZ,	)	
	)	
Plaintiff	)	
	)	
vs.	)	CAUSE NO. 3:08-CV-00037 RM
	)	
LaPorte COUNTY ADULT	)	
PROBATION DEPARTMENT, <i>et al.</i> ,	)	
	)	
Defendants	)	

OPINION AND ORDER

Plaintiff Jack Heitz submitted a complaint under 42 U.S.C. § 1983. The court screened Mr. Heitz’s complaint pursuant to 28 U.S.C. § 1915A, allowed him to proceed against defendants Schuster and Dermody on his claim that their actions caused him to be held beyond the date he would have otherwise been released from the custody of the Indiana Department of Correction.

On June 24, 2009, the defendants moved for summary judgment pursuant to Fed. R. Civ. P. 56. Mr. Heitz didn’t respond within the allotted time period, and the court granted the defendants’ motion for summary judgment on August 4. On September 8, Mr. Heitz filed a motion to reconsider and vacate the order granting the defendants’ motion for summary judgment. Mr. Heitz states that on or about July 22, he corresponded with opposing counsel pursuant to Local Rule 6.1 requesting an agreed enlargement of time for thirty days, that opposing counsel agreed, but that before he “was provided the opportunity to notify this court of opposing counsel’s agreement to the extension of time, this court issued the Opinion and Order.” (Docket #73 at 2).



cc: J. Heitz, E. Flynn