

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

JUSTIN CASTELINO,)	
)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 2:17-cv-139-WTL-MJD
)	
ROSE-HULMAN INSTITUTE OF TECHNOLOGY,)	
)	
)	
Defendant.)	

ENTRY REGARDING PURPORTED NOTICE OF EXTENSION

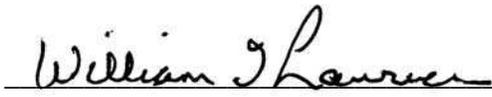
On May 3, 2018, the Plaintiff filed a document entitled Plaintiff's Notice of Automatic Extension of Time to Reply to Defendant's Objection (Dkt. No. 239). The notice purports to be filed pursuant to Local Rule 6-1(b), which provides:

- (b) Automatic Initial Extension.** The deadline for filing a response to a pleading or to any written request for discovery or admissions will automatically be extended upon filing a notice of the extension with the court that states:
- (1) the deadline has not been previously extended;
 - (2) the extension is for 28 or fewer days;
 - (3) the extension does not interfere with the Case Management Plan, scheduled hearings, or other case deadlines;
 - (4) the original deadline and extended deadline;
 - (5) that all opposing counsel the filing attorney could reach agreed to the extension; or that the filing attorney could not reach any opposing counsel, and providing the dates, times and manner of all attempts to reach opposing counsel.

However, the Notice relates to the filing of a reply brief, and Local Rule 6-1(b) does not apply to briefs. Rather, Local Rule 6-1(b) is expressly limited to responses to written discovery requests

and to responses to “pleadings,” which is expressly defined in Federal Rule of Civil Procedure 7(a) to include complaints, answers, and things filed in response thereto. A motion always is required in order to request an extension of time to file a response to, or reply in support of. Accordingly, the Clerk is directed to **STRIKE** Dkt. No. 239, as well as Dkt. No. 241, which is a reply in support of the Plaintiff’s motion for leave to file a surreply that was filed belatedly without leave of court.

SO ORDERED: 5/7/18

A handwritten signature in black ink, reading "William T. Lawrence", is written over a horizontal line.

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana

Copies to all counsel of record via electronic notification