

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**S.F.M., a minor, by and through her
grandmother and next friend,
TERRI E. BAKER,**

Plaintiff,

v.

**PHYLLIS GILMORE in her official capacity)
as Secretary of the Kansas Department for
Children and Families, et al.,**

Defendants.

Case No. 17-2574

MEMORANDUM AND ORDER

This case is before the court on a number of motions. Plaintiff has filed a motion for a preliminary injunction and two motions for partial summary judgment. There is a pending motion to intervene, and four defendants have filed motions to dismiss. In conjunction with filing their motions to dismiss, two defendants have filed motions for extension of time (Docs. 25 and 39) to file responses to plaintiff’s motions and the motion to intervene. Plaintiff opposes giving defendants additional time to respond. Defendants ask the court to extend their time to respond to plaintiff’s motions and the motion to intervene until fourteen days after the court rules on the pending motions to dismiss.

This case was filed last month. It is in its early stages. Defendants raise jurisdictional defenses in their motions to dismiss, including the *Younger* abstention doctrine, as well as principles of ripeness, mootness, and immunity. After an initial review of the pending motions and responses, the court believes that the interests of justice support delaying the briefing of plaintiff’s motions and the motion to intervene until after the court resolves the issues raised by defendants in their motions to dismiss. The court therefore grants the two motions to extend time. The court will extend the time for all

defendants (even those who have not so moved) to respond to plaintiff's motion for a preliminary injunction (Doc. 3), plaintiff's motion for summary judgment on Count 1 (Doc. 11), plaintiff's motion for summary judgment on equal protection (Doc. 17), and the motion to intervene (Doc. 21) until fourteen days after the court rules on defendants' motions to dismiss. The court will endeavor to rule on the motions to dismiss in a timely manner, so as not to unduly delay the proceeding of this case. The court believes that this process will be the best way to ensure the just, speedy, and inexpensive determination of this case in accord with Fed. R. Civ. P. 1.

IT IS THEREFORE ORDERED that defendants' motions to extend time (Docs. 25 and 39) are granted. The court will extend the time for all defendants (even those who have not so moved) to respond to plaintiff's motion for a preliminary injunction (Doc. 3), plaintiff's motion for summary judgment on Count 1 (Doc. 11), plaintiff's motion for summary judgment on equal protection (Doc. 17), and the motion to intervene (Doc. 21) until fourteen days after the court rules on defendant's motions to dismiss.

Dated this 16th day of November, 2017, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge