

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

VINCENT NEWMAN,

Plaintiff,

v.

Case No. 08-10388  
Honorable Patrick J. Duggan

J. COATS, RUO LUEBS, and RUM  
CHARLES INGRAM,

Defendants.

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**ORDER GRANTING PLAINTIFF'S REQUEST FOR  
AN EXTENSION OF TIME TO FILE OBJECTIONS**

Plaintiff, a Michigan prisoner, filed this *pro se* action against Defendants pursuant to 42 U.S.C. § 1983. On June 9, 2008, Defendants filed a motion to dismiss and/or for summary judgment. This Court referred the motion to Magistrate Judge Paul J. Komives for report and recommendation. Magistrate Judge Komives issued his Report and Recommendation (R&R) on February 25, 2009. In the R&R, Magistrate Judge Komives advises the parties that they may object to and seek review of the R&R, but are required to do so within ten days of service. (Doc. 22 at 39.)

This Court reviewed Magistrate Judge Komives' R&R after the ten days for filing objections expired. At that time, the Court discovered that the R&R had been sent to Plaintiff at the Kinross Correctional Facility, where he was incarcerated when he filed his complaint. Subsequently, however, and before Magistrate Judge Komives issued his R&R, Plaintiff had been moved to the Chippewa Correctional Facility. Therefore, on

March 25, 2009, this Court re-mailed a copy of the R&R to Plaintiff at the correct location.

On April 1, 2009, Plaintiff filed a request for an extension of time to file objections to the R&R pursuant to Federal Rule of Civil Procedure 6(b). According to Plaintiff, he did not receive the R&R until March 27 and he could not submit a request to use the prison law library to prepare his objections until March 30, 2009. Plaintiff indicates that April 1 would be the earliest date he would have access to the law library. Plaintiff does not state how much additional time he needs to file his objections to the R&R.

Federal Rule of Civil Procedure 6(b)(1) provides in relevant part: “When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the courts acts, or if a request is made, before the original time or its extension expires . . .” Plaintiff has moved for an enlargement of time before the 10 days for filing objections expired. He provides good cause for his request.

Accordingly,

**IT IS ORDERED**, that Plaintiff’s request for an extension of time in which to file objections is **GRANTED** and Plaintiff shall file any objections on or before April 20, 2009.

DATE: April 6, 2009

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:

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