

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISIONDONNA KAY BIGHAM, and
LOVELL THOMAS,

Plaintiffs,

Case No. 10-cv-11043

v.

HONORABLE STEPHEN J. MURPHY, III

WASHTENAW COUNTY SHERIFF'S
DEPARTMENT, JOHN DOE, and JANE
DOE,Defendants.

**ORDER DENYING PLAINTIFF'S MOTION
FOR PRODUCTION OF DOCUMENTS (docket no. 12) AND
MOTION FOR EXTENSION OF TIME TO FILE APPEAL (docket no. 13)**

The Court dismissed this pro se action sua sponte and entered a final judgment on October 18, 2010. On November 18, 2010, co-plaintiff Thomas filed two motions. The first is a request for the Court to order Defendants to produce documents. The second is a request to extend the time to file an appeal.

Both motions lack merit and will be denied. Regarding the discovery request, the Court has already dismissed this action after concluding that Plaintiffs' amended complaint failed to state a claim for relief. Accordingly, Thomas is not entitled to any discovery on his claims.

With respect to the extension request, Thomas has not alleged any facts that would demonstrate the good cause or excusable neglect required for an extension. See Fed. R. App. P. 4(a)(5)(A)(ii). He states only that he needs more time to "explain and respond to the Courts [sic] opinion, and clear up the over look on behalf of the Plaintiff, and any other conflicts." Pl.'s Mot. 1. But this does not explain why he has been unable to comply with

the "modest task[]" of filing a timely notice of appeal. *Isert v. Ford Motor Co.*, 461 F.3d 756, 758 (6th Cir. 2006). To comply with the filing requirements, he need only specify the party taking the appeal, designate the judgment or order being appealed, and name the court to which the appeal is being taken. Fed. R. App. P. 3(c)(1).¹ Without the required demonstration of good cause or excusable neglect, the Court cannot extend the time for him to file a timely notice of appeal.

WHEREFORE, it is hereby **ORDERED** that Plaintiff's motion for production of documents (docket no. 12) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for an extension of time to file an appeal (docket no. 13) is **DENIED**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: November 22, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 22, 2010, by electronic and/or ordinary mail.

Alissa Greer
Case Manager

¹ Plaintiff apparently has access to the Federal Rules of Appellate Procedure, as demonstrated by his reference to them in his motion. Pl.'s Mot. 1 (docket no. 13) (citing Fed. R. App. P. 4(a)(5)(A)(i))