

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEONTAY JOHNSON, ET AL.,

Plaintiffs,

-vs-

ANTHONY WICKERSHAM, ET AL.,

Defendants.

No. 13-13672

District Judge Mark A. Goldsmith
Magistrate Judge R. Steven Whalen

ORDER

Before the Court is Plaintiff Deontay Johnson's Motion to Extend Time to File Response to Defendants' Motion to Dismiss [Doc. #21]. Mr. Johnson requests a 30-day extension of time to respond to Defendant's motion to dismiss [Doc. #17], which was filed on December 23, 2013. Mr. Johnson states that he was released from the Macomb County Jail in November of 2013, and until recently was unaware of the Defendants' motion.

Ordinarily, a plaintiff would have 21 days to respond to a dispositive motion, which would in this case result in a due date of January 13, 2014. The requested 30-day extension would bring the due date to February 12, 2014. However, on January 8, 2014, the Court entered an order directing that Plaintiffs' response be filed by February 24, 2013. On January 14, 2014, the copy of this order that was sent to Mr. Johnson at the Macomb County Jail was returned as undeliverable, so when he filed the present motion on January 9, 2014, Mr. Johnson was apparently unaware that he had already been provided with extra time to respond to the motion to dismiss, in excess of what he requested.

Therefore, Mr. Johnson's motion [Doc. #21] is DENIED AS MOOT. Pursuant to

the Court's previous order [Doc. #19], Plaintiffs shall file a response to Defendants' motion to dismiss on or before February 24, 2014.

IT IS SO ORDERED.

Dated: January 24, 2014

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on January 27, 2014, electronically and by U.S. mail.

s/Michael Williams
Case Manager for the
Honorable R. Steven Whalen