

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

|  |   |                     |
|--|---|---------------------|
| MATTHEW GLENN BRYANT,                  | ) |                     |
|  | ) |                     |
| Plaintiff,                             | ) |                     |
|  | ) |                     |
| v.                                     | ) | No. 1:18-CV-117-SEP |
|  | ) |                     |
| NED BOYD, U.S. Marshal for the Eastern | ) |                     |
| District of Missouri, et al.,          | ) |                     |
|  | ) |                     |
| Defendants.                            | ) |                     |

**Memorandum and Order**

This matter is before the Court on Plaintiff Matthew Glenn Bryant’s (“Bryant”) Motion for Extension of Time (Doc. [147]). For the reasons stated below, Bryant’s motion is granted in part.

On August 28, 2020, this Court ordered Bryant to show cause why this case should not be dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute. Doc. [146]. The Court’s order came after Bryant failed to comply with numerous Court orders and failed to respond to various pending motions. Id. at 1. In the Order, the Court expressed concern that Bryant might have been unaware of activity in this case. Id. at 2. The instant motion alleviates that concern, but there remains the issue of Bryant’s failure to litigate his case.

Bryant requests an additional 90 days to respond to the Court’s Order. Doc. [147]. He explains that his request is due to the ongoing Covid-19 pandemic as well as his lack of access to an adequate law library. The Court is sympathetic with both issues, but the Court’s August 28th Order required only that Bryant explain his repeated failures to comply—not that he make any legal arguments requiring research. Doc. [146] at 2. Since he was able to draft and dispatch this

Motion for Extension of Time in time for it to reach the Court well in advance of the deadline, he should likewise be able to draft and submit a brief explanation of his failures to respond to past filings and provide the Court with assurance that he will resume litigating his case immediately. If he wants to avoid dismissal of his case, he should do so without delay. Defendants should not have to tolerate yet another lengthy delay before finding out whether Plaintiff plans to resume litigating this lawsuit or allow it to be dismissed.

That said, given the constraints on Plaintiffs' capacities and the time elapsed during litigation of this Motion for Extension, the Court will grant Mr. Bryant one additional week to respond to the Court's August 28th Order.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff Matthew Glenn Bryant's Motion for Extension of Time (Doc. [147]) is **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff Matthew Glenn Bryant shall have until September 25th, 2020, to respond to the Court's Show Cause Order (Doc. [146]).

Dated this 14<sup>th</sup> day of September.



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UNITED STATES DISTRICT JUDGE