

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ARON LEE BOYD-NICHOLSON,

Plaintiff,

vs.

STEPHANIE SNODGRASS, LpN; and
APRIL ROLLINS, RN;

Defendants.

8:15CV424

**MEMORANDUM
AND ORDER**

This matter is before the court on case management. Defendants filed a Motion for Summary Judgment on February 2, 2017. ([Filing No. 35.](#)) Plaintiff has not responded to Defendants' summary judgment motion. However, Plaintiff filed his first motion to extend progression deadlines on February 13, 2017, prior to the February 23rd deadline for his response to Defendants' summary judgment. ([Filing No. 39.](#)) The court granted the motion. ([Filing No. 41.](#)) Plaintiff subsequently filed a second motion to extend progression deadlines, and the court granted it. (Filing Nos. [43](#), [45.](#)) Currently, any dispositive motion by Plaintiff is due no later than May 19, 2017. ([Filing No. 45.](#)) The court recently informed Plaintiff that he could file a proper Rule 56(d) motion for limited discovery, if necessary, to respond to Defendants' summary judgment motion. ([Filing No. 47.](#))

To be clear, in light of Plaintiff's pro se status, the court construed Plaintiff's motions to extend progression deadlines to be simultaneous motions to extend his deadline to respond to Defendants' summary judgment motion. However, to be clear about deadlines and to efficiently progress this matter,

IT IS THEREFORE ORDERED that:

1. Plaintiff is given **14 days** in which to file a motion pursuant to [Federal Rule of Civil Procedure 56\(d\)](#). In support of such motion, Plaintiff must file an affidavit or declaration that plainly sets forth (1) the specific facts he hopes to elicit from further discovery, (2) that the facts sought exist, and (3) that these sought-after facts are essential to resist the summary judgment motion.

2. If Plaintiff timely files a Rule 56(d) motion, Defendants will have **14 days** in which to respond it. The court will then adjust deadlines accordingly.

3. If Plaintiff does not file a Rule 56(d) motion within 14 days, he will have until **May 19, 2017**, to file a response to Defendants' summary judgment motion as well as any dispositive motion of his own.

4. The clerk's office is directed to set the following pro se case management deadline: **May 15, 2017**: Check for Plaintiff's Rule 56(d) motion and response from Defendants.

Dated this 17th day of April, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge