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7 Attorneys for the United States.

8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10	<b>Herlen Delgado Solis,</b>	)	
11		)	<b>Case No: 2:10-cv-01742-RLH-LRL</b>
12	<b>Plaintiffs,</b>	)	
13	<b>vs.</b>	)	
14	<b>Eric Holder. U.S. Attorney General,</b>	)	<b>MOTION FOR EXTENSION OF</b>
15	<b>Alejandro Mayorkas, Director, U.S.</b>	)	<b>TIME TO RESPOND TO</b>
16	<b>Citizenship and Immigration Services,</b>	)	<b>PLAINTIFF'S COMPLAINT</b>
17	<b>Janet Napolitano, Secretary of the</b>	)	<b>(First Request)</b>
18	<b>Department of Homeland Security,</b>	)	
19	<b>Daniel M. Renaud, Director, USCIS</b>	)	
20	<b>Vermont Service Center, Robert Cowan,</b>	)	
21	<b>Director, USCIS National Benefits</b>	)	
22	<b>Center,</b>	)	
23	<b>Defendants.</b>	)	
24		)	

20 Comes now federal defendants by and through Daniel G. Bogden, United States  
 21 Attorney and Carlos A. Gonzalez, Assistant United States Attorney and respectfully request a  
 22 forty four (44) day extension of time, up to and including January 31, 2011, to file a response to  
 23 Plaintiff's petition. In support of this request for an extension of time, Defendants rely upon the  
 24 Memorandum of Points and Authorities set forth below.  
 25  
 26

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 Plaintiffs filed their complaint on October 18, 2010. An answer to the complaint would  
3 be due on December 17, 2010. Defendants request that this honorable Court grant a forty-four  
4 (44) day extension of time, up to and including, January 31, 2011.  
5

6 The Office of Immigration Litigation (OIL) of the Civil Division of the Department of  
7 Justice in Washington D.C., the Department of Homeland Security in Phoenix, Arizona and the  
8 United States Attorney’s Office in Las Vegas, Nevada have assigned counsel to undertake the  
9 governments defense in the instant civil action.

10 The expertise of these offices in different aspects of the litigation need to be coordinated  
11 to properly analyze the factual and legal issues presented to properly draft and file the most  
12 appropriate pleading to plaintiffs complaint.  
13

14 This necessary coordination between offices and end of year employment requirements  
15 and matters for government employees have made impossible the filing of the complaint by the  
16 due date.

17 Compounding the problem, undersigned counsel has been outside of the District on  
18 business and personal reasons. Counsel for OIL is presently on medical leave for the remainder  
19 of the year.  
20

21 This request is made prior to the expiration of the time permitted to respond to the  
22 Petition and will not prejudice Plaintiffs.

23 ...

24 ...

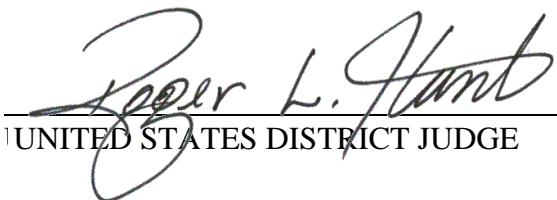
1 It is therefore respectfully requested that the court grant defendants an extension of forty  
2 four (44) days to and including January 31, 2011, in which to file an answer or appropriate  
3 pleading to Plaintiffs' Complaint.  
4

5  
6 DATED: 17<sup>TH</sup> day of December 2010.

7 DANIEL G. BOGDEN  
8 United States Attorney

9 /s/ Carlos A. Gonzalez  
10 Carlos A. Gonzalez  
11 Assistant United States Attorney

12  
13  
14 IT IS SO ORDERED:

15  
16   
17 \_\_\_\_\_  
18 UNITED STATES DISTRICT JUDGE

19 DATED: December 21, 2010

1 **PROOF OF SERVICE**

2  
3 I, Carlos A. Gonzalez, certify that the following individual was served the **MOTION**  
4 **FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT (First**  
5 **Request)** on this date by the below identified method of service:  
6

7 **CM/ECF Notification**

8 **Seth L. Reszko**  
9 Reza Athari & Associates. PLLC  
10 6235 S. Pecos Road, Suite 109  
11 Las Vegas, NV 89120  
12 Email: atharilaw@earthlink.net

13 DATED: December 17, 2010

14 /s/ Carlos A. Gonzalez  
15 Carlos A. Gonzalez  
16 Assistant United States Attorney  
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