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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

STEVEN D. RICHARD,	Case No. 2:12-cv-1236-GMN-CWH
Plaintiff,	
v.	**MOTION FOR EXTENSION OF TIME TO FILE MOTIONS FOR SUMMARY JUDGMENT**
GREG COX, *et al*.,	**AND ORDER THEREON**
Defendants.	

Defendants James G. Cox, Brian Connett, Sheryl Foster, Brian E. Williams, Sr., Cheryl

Burson, Tanya Hill and Johnny Youngblood, by and through counsel, ADAM PAUL LAXALT,

Nevada Attorney General, and ERIC N. TRAN, Deputy Attorney General, of the State of

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1 Nevada, Office of the Attorney General, hereby submit this Motion for Extension of Time to

2 File Motions for Summary Judgment

3   DATED this 29th day of May, 2015.

4   Respectfully submitted,

5   ADAM PAUL LAXALT
                                  Nevada Attorney General

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8   By: /s/ Eric N. Tran
                                  ERIC N. TRAN
                                  Deputy Attorney General

9   Nevada Bar No. 11876
                                  Attorneys for Defendants

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11   **MEMORANDUM OF POINTS AND AUTHORITIES**

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13   **I.**   **LEGAL ARGUMENT**

14   Plaintiff Steven D. Richard is a former inmate of the Nevada Department of Corrections

15 ("NDOC"). Plaintiff filed his Civil Rights Complaint asserting that several employees of the

16 NDOC violated his constitutional rights while he was incarcerated at Southern Desert

17 Correctional Center ("SDCC"). Dkt. # 11. Plaintiff's Complaint alleges that employees at

18 SDCC violated his First and Fourteenth Amendment rights by denying him a meatless diet to

19 accommodate his religious belief. *Id.* Plaintiff also alleges that employees at SDCC violated

20 his First Amendment Rights by denying him the ability to wear his Rastafarian religious

21 headwear. *Id.*

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23   On January 30, 2015, this Court issued a Scheduling Order stating that Motions for

24 Summary Judgment shall be filed and served by May 30, 2015. Dkt. # 30. However,

25 Defendants' counsel's dispositive motions calendar in other cases has greatly impacted

26 Defendants' counsel's ability to file a motion for summary judgment by the May 30, 2015

27 deadline. For example, Defendants' counsel has been working on a motion for summary

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judgment in *Harden v. Correctional Officer Soboro et. al.*,14-cv-00560-JAD-NJK that was due on May 8, 2015. In addition, Defendants' counsel has been working on motions for summary judgment in *Roy Bell v. State of Nevada.*, 14-cv-0476-RFB-NJK that was due on May 12, 2015; and *Jeffrey Williams v. Nevada Depart. of Corrections*, 13-cv-00941-JAD-VCF due was on May 20, 2015.

Defendants' counsel was out of town for the holiday weekend from May 22, 2015 through May 25, 2015. Defendants' counsel was also newly assigned to this case.

FRCP 6(b)(1) states that "[w]hen an act may or must be done within a specified time, the court may, for good cause, extend the time." Here, the holiday weekend plus Defendant's counsel's recent dispositive motions calendar has greatly impacted Defendants' ability to file a motion for summary judgment by the May 30, 2015 deadline. Defendants now submit this Motion for Extension of Time to file Motions for Summary Judgment. Defendants request a 45-day extension of time from the present deadline up to July 14, 2015 to file a motion for summary judgment. This request for an extension of time to file motions for summary judgment is made in good faith and not for the purpose of delay.

A. Discovery Completed.

    1. Plaintiff did not conduct any discovery.

    2. Defendants did not conduct any discovery.

    3. Discovery closed on April 30, 2015.

B. Discovery Which Remains to be Completed.

    4. Discovery in this case closed on April 30, 2015. Defendants do not intend to conduct any further discovery.

C. Reasons Why Deadline Was Not Satisfied.

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As stated above, the holiday weekend plus Defendant's counsel's recent dispositive motions calendar has greatly impacted Defendants' ability to file a motion for summary judgment by the May 30, 2015 deadline.

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D. Proposed Schedule for Completing All Remaining Discovery.

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Defendants are not seeking to extend the discovery deadline. Instead, Defendants are seeking a 45-day enlargement of time from the present deadline up to July 14, 2015 to file a motion for summary judgment.

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II.   CONCLUSION

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Based on the foregoing, Defendants request a 45-day extension of time from the present deadline up to July 14, 2015 to file a motion for summary judgment.

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DATED this 29th day of May, 2015.

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ADAM PAUL LAXALT
Attorney General

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By: /s/ Eric Tran

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ERIC N. TRAN
Deputy Attorney General
Attorneys for Defendants

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IT IS SO ORDERED.

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Gloria M. Navarro, Chief Judge

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United States District Court

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DATED: 06/04/2015

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