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Brian Connett, Sheryl Foster, Brian E.
 8 *Williams, Sr., Cheryl Burson, Tanya Hill,*
and Johnny Youngblood
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Office of the Attorney General
 555 East Washington Avenue, Suite 3900
 Las Vegas, Nevada 89101-1068

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 12 **UNITED STATES DISTRICT COURT**
 13 **DISTRICT OF NEVADA**

14 STEVEN D. RICHARD,)
 15)
 Plaintiff,)
 16 v.)
 17 GREG COX, *et al.*,)
 18)
 Defendants.)

Case No. 2:12-cv-1236-GMN-CWH

**MOTION FOR EXTENSION OF TIME TO FILE
 MOTION FOR SUMMARY JUDGMENT
 [THIRD REQUEST]**

AND ORDER THEREON

19 _____
 20 Defendants James G. Cox, Brian Connett, Sheryl Foster, Brian E. Williams, Sr., Cheryl
 21 Burson, Tanya Hill, and Johnny Youngblood, by and through counsel, ADAM PAUL LAXALT,
 22 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 Motion for Summary Judgment [Third Request].

3 DATED this 12th day of August, 2015.

4 Respectfully submitted,

5 ADAM PAUL LAXALT
6 Nevada Attorney General

7 By: /s/ Eric N. Tran
8 ERIC N. TRAN
9 Deputy Attorney General
10 Nevada Bar No. 11876
11 *Attorneys for Defendants*

12 **MEMORANDUM OF POINTS AND AUTHORITIES**

13 **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.*

22 On January 30, 2015, this Court issued a Scheduling Order stating that Motions for
23 Summary Judgment shall be filed and served by May 30, 2015. Dkt. # 30. On July 14, 2015,
24 Defendants filed a Motion for Extension of Time to File a Motion for Summary Judgment
25 (Second Request) seeking up to and until August 13, 2015, to file a Motion for Summary
26 Judgment. See Dkt. # 32.

27 Defendants’ counsel has been working diligently to complete a motion for summary
28 judgment by the August 13, 2015, deadline. However, two Senior Deputy Attorney Generals
recently transferred to different divisions within the Office of the Attorney General. As a result

1 of these recent departures, Defendants' counsel was assigned to take over a significant
2 number of the Senior Deputy Attorney Generals' active cases.

3 In addition, on July 30, 2015, Defendants' counsel was involved in a motor vehicle
4 accident. See **Exhibit A**. Defendants' counsel injured his back as a result of the motor vehicle
5 accident. Defendants' counsel was also treated for two days in the hospital.¹ These events
6 have significantly impacted Defendants' counsel's ability to file a motion for summary
7 judgment by the August 13, 2015, deadline. As such, Defendants request an additional
8 30 days up to and until September 14, 2015, to file a motion for summary judgment.

9 FRCP 6 (b)(1) states that "[w]hen an act may or must be done within a specified time,
10 the court may, for good cause, extend the time . . . if a request is made, before the original
11 time or its extension expires."

12 Based on the foregoing, Defendants request an additional 30-day extension of time
13 from the present deadline up to September 14, 2015, to file a motion for summary judgment.
14 Absent any extreme and unforeseen circumstances, Defendants' counsel will not seek any
15 further extensions.

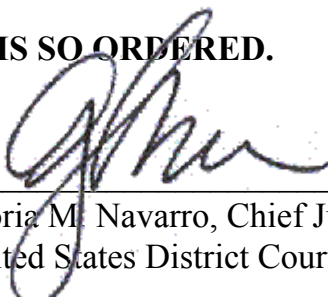
16 DATED this 12th day of August, 2015.

17 Respectfully submitted,

18 ADAM PAUL LAXALT
19 Nevada Attorney General

20
21 **IT IS SO ORDERED.**

22 By: /s/ Eric Tran
23 ERIC N. TRAN
24 Deputy Attorney General
25 *Attorneys for Defendants*

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27 
28 _____
29 Gloria M. Navarro, Chief Judge
30 United States District Court

31 **DATED:** 08/13/2015.

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¹ Defendants' counsel has not yet fully recovered from his back injury. However, as a result of the recent turn over at the Office of the Attorney General, and the numerous upcoming dispositive motions deadline in other cases, Defendants' counsel has felt obligated to come into the office and work (to the extent that he can) on his active cases.

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on the 12th day of August, 2015, I served the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE MOTIONS FOR SUMMARY JUDGMENT [THIRD REQUEST]**, by causing a true and correct copy thereof to be filed with the Clerk of the Court, using the electronic filing system, and by causing a true and correct copy thereof to be delivered to the Department of General Services, for mailing at Las Vegas, Nevada, addressed to the following:

Steven D. Richard
1605 Justin Court
Henderson, Nevada 89011
Plaintiff, Pro Se

/s/ Carol A. Knight
CAROL A. KNIGHT
An employee of:
STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

EXHIBIT A

EXHIBIT A

**Nevada Highway Patrol
Accident Information Exchange**

Accident Case # [REDACTED]
Date/Time: 07/30/2015 1764

LOCATION INFORMATION

Location: IR215 WB
S DECATUR BLVD ON RAMP, RP- PHYSICAL GORE

HOW TO OBTAIN A COPY OF THE COMPLETED ACCIDENT REPORT

The Traffic Collision you were involved in was investigated by the Nevada Highway Patrol.
The collision report will be on file at the location listed below.

Northern Command
357 Hammill Lane
Reno, NV 89511
(775) 688-2500
<http://nhp.nv.gov/>

Central Command
3920 East Idaho Street
Elko, NV 89801
(775) 753-1111

Southern Command
4615 West Sunset Road
Las Vegas, NV 89118
(702) 486-4100

HOURS
Mon-Fri
8am-5pm

Collision Reports are typically ready after 10 business days.
You will be required to pay a fee for each copy of the accident report.

Visit our Web Site for additional information: <http://nhp.nv.gov/>

DRIVER 1

Driver: SULLIVAN MICHELE

DOB: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED]
Hair: [REDACTED] Complexion: [REDACTED]
Mailed By: RETAINED BY DRIVER
Mailed To:

DRIVER 2

Driver: TRAN ERIC

DOB: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eyes: [REDACTED]
Hair: [REDACTED] Complexion: [REDACTED]
Mailed By: RETAINED BY DRIVER
Mailed To:

Reported By: R. Gagne, Badge# H6489