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 via the Legal Aid Center of Southern Nevada
 6 for Plaintiff HYRUM JOSEPH WEST

7 UNITED STATES DISTRICT COURT
 8 DISTRICT OF NEVADA

9 ***

10	HYRUM JOSEPH WEST,)	
11)	2:13-cv-00271-APG-VCF
	Plaintiff,)	
12)	
	v.)	<u>UNOPPOSED MOTION FOR</u>
13)	<u>EXTENSION FO TIME TO FILE</u>
	NYE COUNTY, et al.,)	<u>REPLY TO MOTION TO</u>
14)	<u>COMPEL DISCOVERY AND</u>
	Defendants.)	<u>FOR SANCTIONS THEREON</u>
15)	(First Request)

16 Plaintiff HYRUM JOSEPH WEST, by and through his pro bono counsel of record,
 17 Angela H. Dows, Esq., from Premier Legal Group, respectfully requests that this Court grant
 18 Plaintiff an extension of time of approximately one week or until on or before Monday, May 6,
 19 2019 to file a reply to his motion to compel. (See ECF No. 102.) This Unopposed Motion is
 20 based upon the attached points and authorities and all pleadings and papers on file herein.
 21

22 DATED this 26th day of April, 2019.

23 PREMIER LEGAL GROUP
 By: /s/ Angela H. Dows
 24 ANGELA H. DOWS, ESQ.
 Pro Bono Counsel Referred
 25 via the Legal Aid Center of Southern Nevada
 for Plaintiff HYRUM JOSEPH WEST
 26

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 1. This is a civil rights case related to the conditions of confinement at the former
3 jail facility in Pahrump, Nevada. The remanded case from the Ninth Circuit Court of Appeals
4 is focused on two areas of inquiry:

- 5 (1) the conditions existing in the old Pahrump jail during Mr. West's
6 confinement there, and
7 (2) Nye County's policies or customs relating thereto.

8 (See ECF No. 63.)

9 2. Based upon the need to review and/or include two specific reports into the case in
10 addition to a summary by the ACLU of Nevada into the case, Plaintiff filed a motion to extend
11 discovery (see ECF No. 92.) Said motion was heard and granted on February 19, 2019. Part
12 of the order was that Defendants were to produce/disclose by March 5, 2019 the items sought
13 by Plaintiff as stated in the record, specifically:

- 14 a. Copy of the 2003 National Institute of Corrections report, and any
15 related materials;
16 b. Copy of the 2005 Kitchell report, and any related materials.

17 (See ECF No. 98.)

18 3. After the deadline of March 5, 2019 passed, counsel for Plaintiff and Defendants
19 conferred on the matter. The summary of said conferred was that Defendants did not have
20 and/or could not locate said reports. The resolution that Defendants provided was that Plaintiff
21 could subpoena the information.
22

23 4. On April 5, 2019, Plaintiff filed a motion to compel related to the information
24 not being provided, and requesting via the instant motion that Defendants seek out the
25 information via subpoena/similar.
26

1 5. On April 19, 2019, Defendants filed their response to the motion to compel, as
2 well as a motion to file under seal certain information.

3 6. On April 26, 2019, the current due date for the reply brief and following a
4 request for said information, instant counsel was provided with a copy of the under seal
5 information, including electronic correspondences in support of Defendant's response.
6

7 7. Instant counsel thus requests approximately one week, or on or before May 6,
8 2019 to file the reply due to: (1) needing to review the information recently provided that was
9 filed under seal, (2) confer with her client thereto, and (3) formulate a reply based upon the
10 information.
11

12 8. That the instant Motion is not being prepared or filed under any bad faith, or
13 lack of due diligence.

14 9. That on or about April 25 and 26, 2019, instant counsel conferred with
15 Defendants' counsel, Jon B. Lee, Esq., regarding the proposed extension. Said counsel advised
16 that he did not oppose said request.
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18 10. That Plaintiff does not have an objection to said extension, and said request
19 encapsulates Plaintiff wishes as to the anticipated timeline.
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CERTIFICATE OF SERVICE

The undersigned hereby affirms that a copy of the foregoing:

UNOPPOSED MOTION FOR EXTENSION FO TIME TO FILE REPLY TO MOTION TO COMPEL DISCOVERY AND FOR SANCTIONS THEREON

was served on the 26th of April, 2019, via electronic service through the United States District Court for the District of Nevada CM/ECF e-filing system upon each party in the case is registered as an electronic case filing user with the Clerk.

DATED this 26th day of April, 2019.

/s/
ANGELA H. DOWS, ESQ.