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9 Attorneys for Plaintiff

10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF NEVADA**

<p>12 <b>ALEXANDER WALLS,</b></p> <p>13 <b>Plaintiff,</b></p> <p>14 <b>vs.</b></p> <p>15 <b>CORRECTIONS CORPORATION</b></p> <p>16 <b>OF AMERICA (d.b.a. Nevada Southern</b></p> <p>17 <b>Detention Center),</b></p> <p>18 <b>Defendant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Case No. 2:14-cv-2201-KJD-PAL</b></p>
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19 **PLAINTIFF’S *EX PARTE* MOTION TO EXTEND**  
 20 **DEADLINE FOR SERVICE OF COMPLAINT**

21 Pursuant to Federal Rule of Civil Procedure (“FRCP”) 6(b)(1)(A), Plaintiff respectfully  
 22 requests that the Court extend by 40-days, or until June 2, 2015, the time within which Plaintiff  
 23 must serve the Complaint (Pacer #1) upon Defendant Corrections Corporation of America  
 24 (“CCA”). Proof of service is currently required to be filed with the Court on April 23, 2015.

25 In support of this motion, Plaintiff relies upon the memorandum of points and authorities  
 26 set forth below.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 FRCP 4(m) requires that a party initiating litigation serve a defendant within “120 days  
3 after the complaint is filed . . .” Failure to do so may result in dismissal of the complaint, unless  
4 “good cause” exists to extend the 120-day period. Id. Similarly, a party may seek an extension  
5 of a deadline prior to its expiration pursuant to FRCP 6(b)(1)(A) upon the same standard of  
6 “good cause.”

7 Here, “good cause” exists to extend the service deadline for serving Defendant CCA with  
8 the Complaint and Summons. Plaintiff, who is currently incarcerated in a federal penitentiary in  
9 Arizona, has limited ability to communicate with undersigned counsel. Undersigned counsel  
10 have made arrangements to speak with Plaintiff but will not be able to do so prior to the  
11 expiration of the current service deadline. Undersigned counsel do not wish to effectuate service  
12 of the Complaint until they have had an opportunity to fully communicate with Plaintiff  
13 regarding certain matters pertaining to his case that are of importance. By requesting a 40-day  
14 extension, undersigned counsel are hoping to avoid an additional request of this nature.

15 In light of the foregoing, undersigned counsel respectfully urge the Court to find that  
16 good cause exists to grant Plaintiff’s request.

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1 CONCLUSION

2 Plaintiff, by and through counsel, respectfully requests that the Court grant this motion.

3 Respectfully submitted,

4 */s/ Paul S. Padda*  
5 */s/ John P. Shannon*

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7 Paul S. Padda, Esq.  
8 John P. Shannon, Esq.

9 Attorneys for Plaintiff

10 Dated: April 22, 2015

11 **IT IS SO ORDERED:**

12 **Plaintiff's request to extend the 120-day deadline**  
13 **required by FRCP 4(m) is hereby granted.**  
14 **Plaintiff's time to serve the Summons and**  
15 **Complaint upon Defendant is hereby extended to**  
16 **and until June 2, 2015. Proof of service shall be**  
17 **filed on or before that date.**

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20 **UNITED STATES MAGISTRATE JUDGE**

21 **DATED:** April 30, 2015