

1 Godson Eruchalu
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3 Las Vegas, NV 89131
4 702-204-2430

FILED	RECEIVED
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COUNSEL/PARTIES OF RECORD	
OCT 20 2015	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

5 THE UNITED STATES DISTRICT COURT

6 DISTRICT OF NEVADA

7 GODSON ERUCHALU,)
8) Case No. 2:15-cv-01799-RFB
9 Appellant/Plaintiff) [Honorable Richard F. Boulware, II]
10)
11 vs.)
12 U.S. BANK, NATIONAL ASSOCIATION;)
13 US BANK HOME MORTGAGE;)
14 US BANK HOME MORT OUTSOURCING;)
15 NATIONAL DEFAULT SERVICING CORP;)
16 MERSCORP; MERS)
17 TIFFANY & BOSCO PA;)
18 FIRST OPTION MORTGAGE)
19 DOES 1-1000 INCLUSIVE)
Appellees/Defendants)

20 **UNOPPOSED APPLICATION AND DECLARATION OF GOOD CAUSE FOR**
EXTENTION OF TIME TO FILE OPENING BRIEF

21 *TO THE HONORABLE JUDGE RICHARD F. BOULWARE, II, OF THE UNITED STATES*
DISTRICT COURT, DISTRICT OF NEVADA FOR THE BANKRUPTCY APPEALS

22 1. Godson Eruchalu, Appellant in pro se, a United States Army *Disabled* Combat War Veteran,
23 Appellant in the above cause, hereby respectfully request that the deadline for the Appellant to
24 file opening brief be extended from October 25th, 2015 to November 9th 2015, and in support
25 thereof, hereby declare:
26 2. *Background*, The case was recently transferred from BAP to the District.
27 3. The Appellant's Opening Brief is now due on October 25, 2015.
28

1 4. No other extensions has been file and/or granted.

2 5. *Reasons*, Appellant is in pro se and has not been able to obtain an attorney to represent him in
3 his case against the above herein-mentioned Appellees.

4 6. There will be no prejudice to the Appellees in granting this request for extension of time
5 to file the "Opening Brief".

7 7. This Application is made in good faith, and not merely for the purpose of delay.

8 **Appellant is unable to file the opening brief within the current time allotted for the
9 following reasons:**

10 8. In addition to appellant's work on this case, Appellant had to devote substantial time
11 responding to briefs in other pending cases within the Honorable District Court.

12 9. Appellant is currently undergoing follow up on medical procedures at the Veteran's
13 Administration Hospital.

14 Therefore;

15 10. This Application is based upon the declaration hereto, all pleadings and papers on file
16 herein and/or oral argument at the time of hearing on this matter.

17 11. Appellant does not anticipate requesting any further extensions of time for this brief.

18 12. Appellant hereby certify that he has informed the Appellees of his intention to seek this
19 Extension and has received no objection to that effect. Proof is attached herein as (Exhibit 1).

20 22. As a result of all these, the Appellant could not have possibly prepared and filed an Opening
21 Brief in a timely fashion due to these extenuating circumstances beyond appellant's control and
22 appellant respectfully asks the Honorable court for an extension of time to file opening brief
23 from October 25, 2015 to November 9, 2015.

24 27. Furthermore, Appellant respectfully request an extension, to and including extension for
25 all parties to file answering briefs on this matter.

1 FIRST OPTION MORTGAGE LLC.

2 **Through Their Attorneys**

3 The Office of:

4 McCormick, Barstow, Sheppard, Wayte & Carruth

5 8337 W. Sunset Road, Suite 350

6 Las Vegas, NV 89113

7 NATIONAL DEFAULT SERVICING CORPORATION

8 **Through Their Attorneys**

9 The Office of:

10 Tiffany & Bosco P.A

IT IS SO ORDERED:

11 212 South Jones Blvd.



12 Las Vegas, NV 89107

13 BANK OF AMERICA
RICHARD F. BOULWARE, II
United States District Judge

14 **Through Their Attorneys**

DATED this 27th day of October, 2015.

15 The Office of:

16 Akerman LLP

17 1160 Town Center Drive, Suite 330

18 Las Vegas, NV 89144

20 ***By hand delivery to the following party:***

21 The Office of:

22 Kathleen A. Leavitt, Trustee

23 201 Las Vegas, Blvd. South, Suite 200

24 Las Vegas, NV 89101

25 I declare under penalty of perjury under the laws of the State of Nevada, that the foregoing is
26 true and correct, and that this declaration was executed on October 20th, 2015 at Las Vegas,
Nevada.

28 Godson Eruchalu

Declarant



Signature

1 I declare under penalty of perjury that the foregoing is true and correct. Executed at Las Vegas,
2 Nevada, on October 20th, 2015.

C. Godson Eruchalu
Godson Eruchalu
Appellant, Pro Se
(Reserving All Rights)

6 **DECLARATION OF SERVICE BY U.S. MAIL**

7 Case Name: Eruchalu v. US BANK et. Al
8 case # 2:15-cv-01799-RFB

9 I declare:

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

1. I am the Appellant in this matter.
2. I am over 18 years of age.
3. I am familiar with procedural history of this case.
4. On October 20th, 2015, I served the attached:

*UNOPPOSED APPLICATION AND DECLARATION OF GOOD CAUSE FOR EXTENTION
OF TIME TO FILE OPENING BRIEF*

*By placing a true copy thereof enclosed in a sealed envelope and depositing to the United
States Postal Service for the following parties:*

US BANK NATIONAL ASSOCIATION
US BANK HOME MORTGAGE
US BANK HOME MORTGAGE OUTSOURCING
MERSCORP (MERS)

Through Their Attorneys

The Office of:
Holland and Hart LLP.
9555 Hillwood Drive
Second Floor
Las Vegas, NV 89134

EXHIBIT 1

EXHIBIT 1

Subject: RE: Notice of Application Seeking Order to Extend time for Opening Brief - Case # 2:15-cv-01799-RFB
From: Ryan A. Loosvelt (RALoosvelt@hollandhart.com)
To: sirgodson@yahoo.com;
Cc: aaftek@cox.net;
Date: Tuesday, October 20, 2015 9:23 AM

No objection.

Ryan Loosvelt

Holland & Hart LLP

From: Godson Eruchalu [mailto:sirgodson@yahoo.com]
Sent: Monday, October 19, 2015 6:00 PM
To: Matthew K. Schriever; Ryan A. Loosvelt; Dylan Todd; ariel.stern@akerman.com; 'aaftek@cox.net'
Subject: Notice of Application Seeking Order to Extend time for Opening Brief - Case # 2:15-cv-01799-RFB

Gentlemen:

Please be advised that appellant will be approaching the Honorable District court on the Appeal Case # 2:15-cv-01799-RFB with an application seeking an order to extend time to file appellant's opening brief in this matter.

Appellant would be unable to file Opening Brief in a timely fashion due to extenuating circumstances beyond

appellant's control, involving the time it took Appellant to research, prepare and file the reply brief recently due on a another proceeding. Further, Appellant will be undergoing some follow up medical procedures at the VA, and as a result, Appellant will be seeking an order applicable to all parties extending time to respond as well.

Appellant do not anticipate requesting any further extention of time for this brief.

Appellant's Opening brief is due on Sunday October 25th, 2015. The new intended due date would be Monday November 9th 2015.

If there is any comments or objections to this application please advise by Noon tomorrow.

Thank you for your understanding.

Godson Eruchalu