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28UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ISRAEL GARCIA, JR.,

Plaintiff(s),

v.

CREDIT ONE BANK, N.A.,

Defendant(s).

Case No. 2:18-CV-191 JCM (EJY)

ORDER

Presently before the court is Israel Garcia, Jr.'s ("plaintiff") motion to extend time. (ECF No. 53). Plaintiff indicates that a technical failure in the court's electronic filing program caused his motion to exclude Credit One Bank's rebuttal expert and report (ECF No. 50) to be filed on January 23, 2020, rather than by the dispositive motion deadline of January 22, 2020. (ECF No. 53). As a result of this technical failure, plaintiff requests a single-day extension of the dispositive motion deadline. *Id.* Further, plaintiff represents that he sent a copy of the motion prior to midnight on January 22, so no prejudice exists for granting the request. *Id.*

Local Rule IC 3-1(c) provides that "[a] filer whose filing is made untimely because of a technical failure may seek appropriate relief from the court." LR IC 3-1.

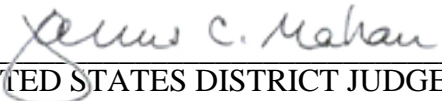
The court finds that plaintiff's request is proper. If not for the technical failure plaintiff experienced on January 22, 2020, his motion would have been timely filed. Pursuant to LR IC 3-1(c), the court grants plaintiff's motion.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff's motion to extend time (ECF No. 53) be, and the same hereby is, GRANTED.

1 IT IS FURTHER ORDERED that the dispositive motion deadline is retroactively
2 EXTENDED one day, to January 23, 2020.

3 DATED January 31, 2020.

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5 _____
6 UNITED STATES DISTRICT JUDGE

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