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<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> MAY 13 2019 </div>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

7 *Attorneys for Defendants*
Romeo Aranas, James Cox,
8 *Francisco Sanchez, and Brian Williams*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

ORDER

12 LEWIS WILLIAM STEWART,
13 Plaintiff,
14 vs.
15 ROMEO ARANAS, et al.,
16 Defendants.

Case No. 3:17-cv-00132-MMD-CBC

**MOTION TO EXTEND THE DEADLINE TO
FILE MOTIONS FOR SUMMARY
JUDGMENT
(First Request)**

17 Defendants, Romeo Aranas, James Cox, Francisco Sanchez, and Brian Williams, by and
18 through counsel, Aaron D. Ford, Nevada Attorney General, and Robert W. DeLong, Deputy Attorney
19 General, hereby move to extend the deadline to file dispositive motions in this matter by 30 days
20 because the case was recently reassigned to undersigned counsel. (See ECF No. 39.)

21 This is an inmate civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff Lewis
22 Stewart (Plaintiff) is an inmate in the custody of the Nevada Department of Corrections (NDOC).
23 Federal Rule of Civil Procedure 6(b)(1) governs enlargements of time and provides as follows:

24 When an act may or must be done within a specified time, the court may,
25 for good cause, extend the time: (A) with or without motion or notice if
26 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

27 The proper procedure, when additional time for any purpose is needed, is to present a request
28 for extension of time before the time fixed has expired. *Canup v. Miss. Val. Barge Line Co.*, 31 F.R.D.


1 282 (W.D. Pa. 1962). Extensions of time may always be asked for, and usually are granted on a
2 showing of good cause if timely made under subdivision (b)(1) of the Rule. *Creedon v. Taubman*, 8
3 F.R.D. 268 (N.D. Ohio 1947). The present deadline to file motions for summary judgment is today,
4 May 8, 2019. (ECF No. 32 at 3.)

5 Defendants seek an enlargement of time to file dispositive motions in this matter because
6 attorney Erin L. Albright is no longer with the Office of the Nevada Attorney General, and the case has
7 recently been reassigned to undersigned counsel. (ECF No. 39.) Defendants respectfully request that the
8 deadline to file motions for summary judgment in this matter be extended for 30 days to allow for the
9 collection of declarations and evidence to file a motion for summary judgment. If granted, the new
10 deadline to file motions for summary judgment would be Friday, June 7, 2019.

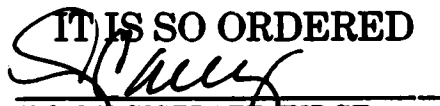
11 Good cause exists to extend the time to file this motion. This request is made in good faith and
12 not for the purpose of delay. Defendants respectfully submit that none of the parties will be prejudiced
13 by the extension of time sought.

14 DATED this 8th day of May, 2019.

15 AARON D. FORD
Attorney General

16 By: 
17 ROBERT W. DELONG
18 Deputy Attorney General
19 State of Nevada
Bureau of Litigation
Public Safety Division

20 *Attorneys for Defendants*

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23 IT IS SO ORDERED

24 U.S. MAGISTRATE JUDGE
25 DATED: 5/13/2019
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