

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES S. MARTIN,

Plaintiff,

v.

No. 17-cv-0771 MCA/SMV

**NEW MEXICO CORRECTIONS DEPARTMENT,
CENTURION INCORPORATED,
and FNU HERNANDEZ,**

Defendants.

ORDER ON MOTIONS TO ENLARGE OR EXPAND TIME

THIS MATTER is before the Court on the Rule 6(b)(1) Motion by Defendant New Mexico Corrections Department to Expand Time to Answer the Complaint and/or File Responsive Pleading Pursuant to Rule 12(b)(6) (“Rule 6(b)(1) Motion”) [Doc. 10] and on the Motion to Enlarge Time filed by Plaintiff James S. Martin [Doc. 12]. The Court finds that the Motions are well-taken and will grant the requests to enlarge or expand time.

The Court would find it helpful for Defendant New Mexico Corrections Department (“NMCD”) to answer or otherwise respond to the Complaint. NMCD should do so within 21 days.

In his Motion to Enlarge Time [Doc. 12], Plaintiff Martin seeks an extension of time to respond to Defendant Centurion of New Mexico, LLC’s Motion to Dismiss for Failure to State a Claim [Doc. 4] and Defendant Hernandez’s Motion to Dismiss [Doc. 5]. Plaintiff Martin seeks an extension of 30 days from the date of filing of his Motion to Enlarge. [Doc. 12]. Plaintiff Martin filed his Motion on August 17, 2017. *Id.* The Court will grant him an extension of time

to Monday, September 18, 2017, to file his responses to the Motions to Dismiss [Docs. 4, 5]. Defendants Centurion and Hernandez will have 14 days from service of Plaintiff's responses in which to file any reply in support of [Docs. 4, 5] under D.N.M.LR-Civ. 7.4.

IT IS THEREFORE ORDERED:

(1) the Rule 6(b)(1) Motion by Defendant New Mexico Corrections Department to Expand Time to Answer the Complaint and/or File Responsive Pleading Pursuant to Rule 12(b)(6) [Doc. 10] is **GRANTED**. Defendant New Mexico Corrections Department should answer or otherwise respond to the Complaint by **September 14, 2017**; and

(2) the Motion to Enlarge Time filed by Plaintiff James S. Martin [Doc. 12] is **GRANTED**. Plaintiff Martin has until Monday, **September 18, 2017**, to file his responses to Defendant Centurion of New Mexico, LLC's Motion to Dismiss for Failure to State a Claim [Doc. 4] and Defendant Hernandez's Motion to Dismiss [Doc. 5].

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge