Taylor v. Trigeno et al Doc. 230

MEMORANDUM ENDORSED

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HON. SYLVIA O. HINDS-RADIX Corporation Counsel

THE CITY OF NEW YORK LAW DEPARTMENT

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May 23, 2022

VIA ECF

Honorable Gregory H. Woods United States District Court Southern District of New York 500 Pearl Street New York, New York 10007

Re: Roy Taylor v. NYPD Officer Trigeno, et al., 16 Civ.1143 (GHW)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants City of New York and NYCDOC Officer Quayyum in the above-referenced matter (hereinafter "City defendants"). City defendants write to respectfully request a fourteen-day enlargement of time, from May 23, 2022 until June 6, 2022, to file their motion for summary judgment, as well as a corresponding enlargement of the subsequent briefing deadlines as outlined herein. This is the second request for an extension of City defendants' time to file their motion for summary judgment, and is made without plaintiff's consent because plaintiff was released from NYC Department of Correction custody; and to date, has not provided his updated contact information. However, defendants respectfully submit that plaintiff will not be prejudiced in any way if Your Honor is inclined to grant this request.

This morning, I learned that my supervisor had a death in her family and therefore, she is unable to review the instant motion. As such, an enlargement of time is needed so that this motion can be reviewed by another supervisor in the Special Federal Litigation division and then finalized by the undersigned.

¹ On April 27, 2022, this Court granted City defendants' first request for an enlargement of time to file their motion for summary judgment sought for the purpose of gathering affidavits in support of their motion. (ECF No. 226.)

Accordingly, City defendants respectfully request a brief enlargement of time, from May 23, 2022 until June 6, 2022, to file their anticipated motion for summary judgment, as well as a corresponding enlargement of plaintiff's opposition deadline from July 25, 2022 until August 8, 2022, and defendants' reply deadline until two weeks after receipt of plaintiff's opposition.

City defendants thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Amanda Rolon

Assistant Corporation Counsel

Special Federal Litigation Division

BY FIRST CLASS MAIL²

Roy Taylor, Plaintiff *Pro Se* B&C No. 3491804923 Anna M. Kross Center 18-18 Hazen Street East Elmhurst, NY 11370

Application granted. Defendants City of New York and NYCDOC Officer Quayyum (the "City Defendants") are directed to file their anticipated motion for summary judgment no later than June 6, 2022. Plaintiff's opposition is due no later than August 8, 2022. The City Defendants' reply, if any, is due two weeks following the date of service of Plaintiff's opposition.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 229.

SO ORDERED.

Dated: May 24, 2022 New York, New York

GREGORY H. WOODS United States District Judge

² Plaintiff was released from New York City Department of Correction custody on May 20, 2022. To date, plaintiff has not provided his updated contact information.