

**MEMO ENDORSED** in

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 DATE FILED: 8/31/2023

Date: August 31, 2023

**VIA CM/ECF**

Hon. Andrew L. Carter Jr.  
 United States District Judge  
 Southern District of New York  
 Thurgood Marshall U.S. Courthouse  
 40 Foley Square  
 New York, NY 10007

Re: Zappin v. Comfort et al., Case No. 18-cv-1693-ALC-OTW

Dear Judge Carter:

I write concerning your Order of August 28, 2023. (*See* Dkt. No. 194.) In the Order, the Court directed me to file my memorandum in support of my Motion to Vacate the Court's September 20, 2022 Pre-Filing Injunction (Dkt. No. 192) by today, August 31, 2023. (*See id.*)

I write to request a short extension to file the memorandum to Tuesday September 5, 2023.

At the time of filing the Motion to Vacate, I thought that I had also filed the memorandum. I appreciate the Court bringing the issue to my attention and giving me an opportunity to file the memorandum. However, I am currently in Virginia and I have been unable to locate a copy of the memorandum on my computer or flash drives. I believe that a copy of my memorandum is on an old computer located at my parents' house in South Carolina. I will be traveling there over the Labor Day weekend and should be able to retrieve the memorandum and file it.

To the extent that I am not able to find and file the memorandum by Tuesday September 5, 2023, I will withdraw the Motion to Vacate.

This is my first request for an extension. There is no prejudice to Defendants in granting the short two (2) business day extension, particularly given the significant time that has passed since the filing of the Motion to Vacate as well as my Motion for Reconsideration.

I thank the Court for its time and consideration of this request.

Respectfully,



cc: All Defendants / Counsel (via CM/)

SO ORDERED:  


HON. ANDREW L. CARTER, JR.  
 UNITED STATES DISTRICT JUDGE

8/31/2023