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January 19, 2021

**VIA ECF**

Honorable Katharine H. Parker  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 750  
New York, New York 10007-1312

MEMO ENDORSED

Re: Tyrone Massey v. Captain Josette Morgan,  
18-CV-3994 (ALC) (KHP)

Your Honor:

As the attorney assigned to the defense of this matter, I write to respectfully request a brief two-week extension of time within which defendant may serve its opposition to plaintiff's motion for summary judgment and its anticipated cross-motion for summary judgment from January 22, 2021 to February 5, 2021; and (2) a corresponding extension of the time within which plaintiff is to serve his reply from February 14, 2021 to March 1, 2021. This application is made without plaintiff's consent, as plaintiff, who appears *pro se*, is incarcerated and thus, cannot be reached expeditiously. This is defendant's first request for an extension of time to file its opposition and cross-motion.

As Your Honor knows, plaintiff asserts a claim against defendant for deliberate indifference to plaintiff's serious medical needs. On December 15, 2020, plaintiff filed a motion for summary judgment consisting of 62 pages. Due to the holidays, the undersigned's mandatory furlough days, and pre-existing legal commitments in other matters, I will not be able to complete defendant's opposition and cross-motion by the current due date of January 22, 2021.

Accordingly, defendant respectfully seeks a brief two-week enlargement from January 22, 2021 to February 5, 2021, to file its opposition and cross-motion.

Thank you for your consideration herein.

SO ORDERED:  
  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

January 20, 2021

Respectfully submitted,

S/ Stefano Pérez  
Stefano Pérez  
Assistant Corporation Counsel  
Special Federal Litigation Division

**BY FIRST CLASS MAIL**

cc: Tyrone Massey  
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