



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

Writer's Direct Dial: ()

BY ECF

Hon. Philip M. Halpern
United States District Court Judge
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Application granted. The conference currently scheduled for May 18, 2021 at 12:30 p.m. is adjourned to August 16, 2021 at 11:00 a.m.

Defendants shall serve a copy of this Order on Plaintiff, and shall file proof of service by May 21, 2021 at 5:00 p.m.

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
May 17, 2021

Re: *Smolen v. Nevins*, 17 Civ 7494 (PMH)

Dear Judge Halpern:

This Office represents Defendants in the above-referenced matter. I write to respectfully request that the Telephone Conference currently scheduled for May 18, 2021 at 12:30 p.m., be rescheduled to a later date convenient for the Court.

Our Office has just been forwarded a letter written by Plaintiff indicating that he is not well enough to participate in the upcoming conference (which he refers to as a "deposition") because he is suffering from a severe chest infection and coughing fits. (*See* Plaintiff's Letter, attached hereto as Exhibit A). In the letter, Plaintiff asks that the conference be rescheduled to late July or early August. Defendants' counsel is available at the Court's convenience.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Amanda Yoon

Amanda Yoon
Assistant Attorney General
Amanda.Yoon@ag.ny.gov

Cc: Samuel Smolen, DIN 85-A-4082
Sullivan Correctional Facility