

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA

CASE NO. 4:10-CV-142-D

MARK DANIEL LYTTLE,)
)
Plaintiff,)
)
v.)
)
THE UNITED STATES OF AMERICA,)
et al.,)
Defendants.)

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO
RESPOND TO DEFENDANTS'
MOTIONS TO DISMISS**

Fed. R. Civ. P. 6(b)(1)
Local Civil Rule 6.1

Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure and Local Civil Rule 6.1 of the United States District Court for the Eastern District of North Carolina, Plaintiff Mark Daniel Lyttle (“Plaintiff”) hereby moves the Court for an Order extending, by one week, the time by which he shall be required to respond to the Motion to Dismiss [Dkt No. 47] filed by Defendant the United States of America and the Motion to Dismiss [Dkt. No. 48], filed by Defendants Dashanta Faucette, Dean Caputo, and Robert Kendall (collectively, the “Motions to Dismiss”). In further support of Plaintiff’s Motion for an Extension of Time, Plaintiff shows the Court as follows:

1. Plaintiff filed this action on October 13, 2010 [Dkt. No. 1.]. A Corrected Complaint was filed on October 15, 2010. [Dkt. No. 8.]
2. On June 24, 2011, Federal Defendants filed their Motions to Dismiss.

3. Plaintiff's time for responding to the Federal Defendants' Motions to Dismiss is July 11, 2011, and thus has not yet expired.

4. Counsel for Plaintiff has conferred with counsel for DOC and is authorized to represent to the Court that DOC does not oppose the requested extension.

5. Plaintiff respectfully requests that this Court enter the Order attached hereto as Exhibit "A" extending his time to respond to DOC's Motion to Dismiss up through and including **July 18, 2011**.

6. Counsel for Plaintiff has conferred with counsel for the Federal Defendants and is authorized to represent to the Court that the Federal Defendants do not oppose the requested extension.

Respectfully submitted this 30th day of June, 2011.

MCKINNEY & JUSTICE, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2011, I electronically filed the preceding ***UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS' MOTIONS TO DISMISS*** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all parties of record.

McKINNEY & JUSTICE, P.A.

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