

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL ISREAL,

Plaintiff,

v.

Civil Action 2:17-cv-116

Chief Judge Edmund A. Sargus, Jr.

Magistrate Judge Chelsey M. Vascura

JUDGE MICHAEL HOLBROOK, et al.,

Defendants.

ORDER

This matter is before the Court for consideration of Plaintiff's Motion for an Extension of Time, in which he seeks a 45-day extension of time to file his notice of appeal. (ECF No. 16.) Federal Rule of Appellate Procedure 26(b)(1) provides that "the court may not extend the time to file . . . a notice of appeal (except as authorized by Rule 4) or a petition for permission to appeal." Fed. R. App. P. 26(b)(1). Federal Rule of Appellate Procedure 4(a)(5) provides that an extension of time is permitted if "a party so moves no later than 30 days after the time prescribed by this Rule 4(a)" and shows good cause. Fed. R. App. P. 4(a)(5)(A). However, "[n]o extension under this Rule 4(a)(5) may exceed 30 days after the prescribed time or 14 days after the date when the order granting the motion is entered, whichever is later." Fed. R. App. P. 4(a)(5)(C).

Here, for good cause shown, the Court **GRANTS IN PART and DENIES IN PART** Plaintiff's Motion. He is granted an extension of **THIRTY (30) DAYS** in which to file his notice of appeal. Plaintiff is advised that the Federal Rules of Appellate Procedure prohibit further extensions of time. *See* Fed. R. App. P. 26(b)(1); Fed. R. App. P. 4(a)(5)(C). Plaintiff must

therefore file his notice of appeal **ON OR BEFORE FEBRUARY 5, 2018**. See Fed. R. App. P. 26(a)(1)(C) (“[I]f the last day is Saturday, Sunday, or a legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.”).

IT IS SO ORDERED.

/s/ Chelsey M. Vascura
CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE