

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

CHRISTIAN P. FANNON, : Case No. 3:13-cv-14
Plaintiff, :
v. : Magistrate Judge Michael J. Newman
DON PATTERSON, *et al.*, : (Consent case)
Defendants. :

**ORDER CLARIFYING THE RESPONSE TIME
TO PLAINTIFF'S AMENDED *PRO SE* COMPLAINT**

Plaintiff's amended *pro se* complaint was docketed on October 18, 2013 and appears to have been served upon opposing counsel earlier in October; specifically, on October 10, 2013. *See* doc. 28 at PageID 205. As the Court has no way of knowing, with certainty, whether or not service occurred on October 10th, the Court -- acting in the interest of justice -- uses the October 18th date, instead, for its date calculations.

Under Fed. R. Civ. P. 15(a)(3), Defendants' response to the amended *pro se* pleading is due within 14 days of October 18th. Pursuant to Rule 6(d), this period is extended to 17 days because the amended complaint was served by mail. *See* Fed. R. Civ. P. 5(b)(2)(C). Seventeen days from October 18, 2013 is November 4, 2013.

Accordingly, Defendants' response to Plaintiff's amended complaint is due on or before **November 4, 2013.**

IT IS SO ORDERED.

November 1, 2013

s/ **Michael J. Newman**
United States Magistrate Judge