

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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|---------------------------------------|---|-------------------------|
| MICHELLE ALMANZA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:15-CV-389-TAV-HBG |
| |) | |
| JEFFERSON SESSIONS, Attorney General, |) | |
| United States Department of Justice, |) | |
| |) | |
| Defendant. |) | |

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is a Motion for Stay of Briefing on Plaintiff’s Motion for Award of Attorney’s Fees and Costs, or in the Alternative, a 30-Day Extension of Time to Respond to Plaintiff’s Motion [Doc. 133]. For grounds, Defendant states that on December 22, 2018, the appropriations act that had been funding the Department of Justice (“Department”) expired and appropriations to the Department lapsed. The Motion explains that absent an appropriation, attorneys for the Department are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” The Motion states that due to the shutdown, Defendant is unable to complete its response to Plaintiff’s Motion and is unable to receive approval from the client agency, EOUSA, before filing the response. The Motion requests a stay of the parties’ briefing on Plaintiff’s Motion until Congress has restored appropriations to the Department. In the alternative, Defendant requests that it be granted an additional thirty (30) days to respond to Plaintiff’s Motion.

The Court has considered Defendant's Motion and finds that the best course of action is to grant Defendant an additional thirty (30) days to respond. Accordingly, the Motion for Stay of Briefing on Plaintiff's Motion For Award of Attorney's Fees and Costs, or in the Alternative, a 30-day Extension of Time to Respond to Plaintiff's Motion [Doc. 133] is **GRANTED IN PART AND DENIED IN PART**. Defendant shall file the response to Plaintiff's Motion on or before **February 11, 2019**, and Plaintiff shall file her reply brief on or before **February 28, 2019**.

IT IS SO ORDERED.

ENTER:


United States Magistrate Judge