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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SCOTT P. LESHOWITZ,

Plaintiff,

v.

MICHAEL BISSON,

Defendant.

Case No. 2:16-cv-1557-RSM-BAT

**ORDER GRANTING EXTENSION  
AND RENOTING DEFENDANT'S  
SUMMARY JUDGMENT MOTION**

Plaintiff seeks a three month extension of his November 27, 2017 deadline to respond to Defendant's motion for summary judgment. Dkt. 32. Defendant's motion for summary judgment was originally noted for December 1, 2017. Dkt. 29. He states he needs this additional time because of the holiday season, he is disabled with limited mobility, and has to seek help from other inmates. *Id.* Defendant is not opposed to a thirty day extension of plaintiff's deadline, but argues that allowing a three month extension (essentially giving plaintiff four months to respond) is not warranted and would unnecessarily interfere with a prompt and fair resolution of this matter. Dkt. 33.

The Court agrees that the requested extension is unreasonable in that plaintiff has failed to explain how the stated conditions have impacted his ability to respond to the summary judgment motion, which presents the rather straight-forward issue of whether plaintiff has appropriately exhausted his state court remedies. However, in light of plaintiff's pro se status

1 and mobility issues, the Court will grant a six week extension of plaintiff's deadline.

2 Accordingly, it is **ORDERED**:

3 (1) Plaintiff's motion for extension (Dkt. 32) is **GRANTED**; however, the extension  
4 is limited to six weeks. Therefore, plaintiff shall file his response to defendants' summary  
5 judgment motion on or before **January 8, 2018**.

6 (2) Defendants may file a reply on **January 12, 2018**. The Clerk shall re-note  
7 Defendants' motion for summary judgment for consideration on **January 12, 2018**.

8 (3) The Clerk is directed to send copies of this Order to Plaintiff and to counsel for  
9 Defendants.

10 DATED this 15th day of December, 2017.

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13 BRIAN A. TSUCHIDA  
14 United States Magistrate Judge