

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Adon Banks v. S/CO Lima, et al.

Banks · No. 2:22-cv-01622-CDS-BNW · Decided January 8, 2026

OPINION

Banks

PER CURIAM.

1 || AARON D. FORD

Attorney General 2 || KYLE L. HILL, (Bar No.16094) Deputy Attorney General 3 || State of Nevada Office of the Attorney General 4 || 1 State of Nevada Way, Ste. 100 Las Vegas, Nevada 89119 5 ||(702) 486-0429 (phone)

(702) 486-3768 (fax)

6 || Email: khill@ag.nv.gov 7 || Attorneys for Defendant Drew Wilson 8

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 ||} ADON BANKS, Case No. 2:22-cv-01622-CDS-BNW 12 Plaintiff JOINT STIPULATION AND

ORDER FOR CONTINUANCE OF

13 HEARING SET FOR JANUARY 27,

2026 AT 10:00 AM

14 ||S/CO LIMA, et al., 15 Defendants [ECF No. 72] 16 Plaintiff Adon Banks, by and through counsel Paul Padda, Esq., and Ravi 17 || Chanderraj, Esq., and Defendant, Drew Wilson, by and through counsel, Aaron D. 18 || Ford, Attorney General for the State of Nevada, and Kyle L. Hill, Deputy Attorney 19 || General, hereby submit this Joint Stipulation and Order for Continuance of the Hearing 90 || currently set for January 27, 2026, at 10:00 a.m. This is the first request.

21 MEMORANDUM OF POINTS AND AUTHORITIES

22 SUMMARY OF THE ARGUMENT

23 Good cause exists to continue the hearing currently scheduled for January 27, 2026, 24 10:00 a.m. as counsel for Defendant will not be available to appear on that date. Counsel 25 Defendant will be out of the jurisdiction on that day and will be traveling, and so will 26 || be unable to attend either in person or remotely. Further, given counsel's familiarity with 27 matter, a continuance so counsel for Defendant can make an appearance rather than 28 1 || having another Deputy from the Office of the Attorney General appear is preferrable in 2 || order for this matter to fully addressed at the time of the hearing.

3 II BRIEF STATEMENT OF THE CASE

4 This is a prisoner civil rights action brought by Plaintiff Adon Banks (Banks), 5 || asserting a

claim pursuant to 42 U.S.C. § 1983.1 Following mandatory screening of the 6 ||}complaint, this Court allowed Banks to proceed on an Eighth Amendment failure to protect 7 ||claim against Defendant Drew Wilson (Wilson). ECF No. 12 at 5:3-4. Banks filed his Motion 8 || for Partial Summary Judgment with Respect to Liability, based on his expert's report, on 9 || June 26, 2025. ECF No. 64. This matter has been fully briefed by the parties, and this 10 || Court set an in person hearing date for January 27, 2026, at 10:00 a.m. ECF No. 70.

11 ARGUMENT

12 To evaluate a request for continuance, courts evaluate (1) the extent of the moving 13 || party's diligence in preparing for the case for trial; (2) the usefulness of the continuance or 14 likelihood "that the need for a continuance could have been met if the continuance had 15 granted"; (8) the extent to which granting the continuance would inconvenience the 16 || court, the opposing party, and the witnesses; and (4) the extent to which the moving party 17 might suffer prejudice from the Court denying the request for a continuance. Bryant v. 18 || Madison Mgmt. Servus., LLC, No. 2:20-CV-00594-CDS-EJY, 2025 WL 928868, at *1 (D. Nev. 19 || Mar. 27, 2025) (citing United States v. Flynt, 756 F.2d 1352, 1358-59 (9th Cir.), amended, 20 || 764 F.2d 675 (9th Cir. 1985)). 21 Here, this matter was only recently scheduled and the parties diligently notified the 92 || Court of Defense counsel's unavailability for the hearing as currently scheduled. As defense 93 counsel is unavailable due to a previously scheduled vacation, the parties are asking for a 94 || brief continuance to February 17, 2026, at 11:00, or at the Court's convenience. This 25 ||continuance is necessary as counsel for Defendant will not be available on January 27, 96 || 2026. Given counsel's familiarity with the matter and the arguments presented in the 27 || briefings on Plaintiffs Partial Motion for Summary Judgment, counsel's presence, rather 298 having another Deputy fill in, will benefit the hearing and aid in reaching a resolution 1 the matter. Further, another deputy filling in could result in prejudice towards 2 ||Defendant given the familiarity that undersigned defense counsel has regarding this 3 ||matter. Given defense counsel is available on and after February 2, 2026, there is no 4 || significant delay which would prejudice any of the parties.

5 CONCLUSION

6 The Parties agree to stipulate to a brief extension of the scheduled hearing for 7 || Plaintiffs Limited Motion for Summary Judgment, currently scheduled for January 27, 8 ||} 2026, at 10:00 a.m., to February 17, 2026, at 11:00 am. For the reasons above, defense 9 ||counsel is unavailable for January 27, 2026, but given the nature of the hearing, 10 || undersigned defense counsel wishes to make an appearance, and thus requests this Court 11 || continue the hearing to February 17, 2026, at 11:00 am. 12 || DATED this 6" day of January, 2026. DATED this 6 day of January, 2026. 13 || PAUL PADDA, ESQ. AARON D. FORD

Paul Padda Law, PLLC Attorney General 14 By: /s/ Ravi Chanderraj By: /s/ Kyle L. Hill 15 Ravi Chanderraj, #17053 Kyle L. Hill, Esq. (Bar No. 16094) Deputy Attorney General 16 Attorneys for Plaintiff Attorneys for Defendants 17 ss i IT IS SO OXDERED: 19 20 oe

21 UNITED STATES-DISTRICT JUDGE

22 pave: January 8, 2026 23 24 25 26 27 28

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-district-of-nevada-united-states-district-court-for-the-district/2026/adon-banks-v-s-co-lima-et-al-lzffy420>