

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Jovan P. Blanton v. David Steiner, Postmaster General

Blanton · No. 2:23-cv-02102-RFB-EJY · Decided January 12, 2026

OPINION

1 TDOepDuDty BALttAorNnCeyH GEe neral of the United States 2 SIGAL CHATTAH First
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Attorneys for the Federal Defendant 9 UNITED STATES DISTRICT COURT DISTRICT OF
NEVADA 10 Jovan P. Blanton, Case No. 2:23-cv-02102-RFB-EJY 11 Plaintiff, Stipulation and
Order to Extend Time 12 to File a Reply to Plaintiff's Response v. (ECF No. 41) to Federal
Defendant's 13 Motion to Dismiss the Amended David Steiner, Postmaster General, Complaint
(ECF No. 36) 14 Defendant.

(Sixth Request) 15 16 Pursuant to Fed. R. Civ. P. 6(b)(1) and LR 7-1, IA 6-1, and IA 6-2, Plaintiff
Jovan 17 P. Blanton and Federal Defendant David Steiner, Postmaster General, through 18
undersigned counsel, hereby stipulate and agree as follows: 19 Plaintiff filed his Amended
Complaint on April 18, 2025. ECF No. 27. 20 Federal Defendant filed his Motion to Dismiss the
Amended Complaint on June 30, 21 2025.

ECF No. 36. 22 Plaintiff filed his opposition to Federal Defendant's Motion to Dismiss on August
4, 23 2025. ECF No. 41. 24 The deadline for Federal Defendant to reply to Plaintiff's opposition
is currently 25 January 12, 2026. ECF No. 51. 26 On January 8, 2026, counsel for Plaintiff and
Federal Defendant agreed to extend 27 the time for Federal Defendant to reply to Plaintiff's
opposition from January 12, 2026, to 28 February 23, 2026.

Undersigned AUSA will be taking leave to care for a family member. 1 The Civil Division of the
U.S. Attorney's Office continues to be severely understaffed and 2 focused on responding to a
high volume of petitions for habeas corpus, all with either 3 expedited briefing for temporary
restraining orders or briefing.

However, the Office 4 anticipates three new AUSAs joining in the next two weeks, who hopefully
should help 5 alleviate some of the filing burden on the current staff. 6 Under Federal Rule of
Civil Procedure 6(b), a court may, "for good cause," extend 7 a deadline if a request is made
"before the original time or its extension requires." Fed. R. 8 Civ. P. 6(b)(1)(A); see also Local
Rule IA 6-1(a).

The Ninth Circuit has equated good cause 9 with the exercise of due diligence. See *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 10 609 (9th Cir. 1992). Additionally, Fed. R. Civ. P. 6(b)(1) should “be liberally construed to 11 effectuate the general purpose of seeing that cases are tried on the merits,” and “requests 12 for extensions of time made before the applicable deadline has passed should normally be 13 granted in the absence of bad faith or prejudice to the adverse party.” *Ahanchian v. Xenon 14 Pictures, Inc.*, 624 F.3d 1253, 1258–59 (9th Cir.

2010) (internal citations omitted). 15 Federal Defendant has good cause to request this extension of time. Undersigned 16 AUSA has been diligent but is still one of only two full-time civil defensive AUSAs and has 17 still needed to prioritize the continued influx of petitions for habeas corpus and their 18 expedited briefing schedules. Undersigned AUSA will now be taking leave to care for a 19 family member and will not be able to complete the reply by the current January 12, 2026, 20 deadline.

However, three additional AUSAs are expected to join the office in the next two 21 weeks, and undersigned AUSA is hopeful they will ameliorate the significant habeas- 22 related workload which has prevented undersigned AUSA from completing Federal 23 Defendant’s reply.

Accordingly, the parties, through undersigned counsel, submit this 24 stipulation to extend the deadline for Federal Defendant to file a reply to Plaintiff’s 25 opposition to the Motion to Dismiss to February 23, 2026. 26 / / / 27 / / / 28 / / / 1 This is the sixth request for an extension of time to reply to Plaintiff’s opposition to 2 || Federal Defendant’s Motion to Dismiss.

This stipulated request is filed in good faith and 3 || not for the purposes of undue delay. 4 Respectfully submitted this 8th day of January 2026. 5|| LAW OFFICES OF MICHAEL P. SIGAL CHATTAH 6 BALABAN First Assistant U.S. Attorney /s/ Michael P. Balaban /s/ Virginia T. Tomova 7|| MICHAEL P. BALABAN VIRGINIA T. TOMOVA Nevada Bar No. 9370 Assistant United States Attorney 8}!

10726 Del Rudini Street 9 Las Vegas, Nevada 89141 Attorneys for the Federal Defendant 10 Attorney for Plaintiff 11 12 13 14 15 IT IS SO ORDERED: 16 AS 17 U.S. DISTRICT JUDGE 18 DATED: January 12, 2026. 19 20 21 22 23 24 25 26 27 28