

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
DAKOTA, SOUTHERN DIVISION

Jogaak Deng Jogaak v. Tabitha Benting

Jogaak · No. 4:26-CV-04002-KES · Decided March 19, 2026

SUMMARY

The United States District Court for the District of South Dakota grants Jogaak Deng Jogaak’s motion to extend the deadline for filing objections to a Magistrate Judge’s Report and Recommendation. The court finds that the motion may have been delivered to prison authorities by the original deadline and sets April 20, 2026, as the new deadline.

CASE DETAILS

COURT	United States District Court for the District of South Dakota, Southern Division
WRITING FOR THE COURT	Karen E. Schreier
JURISDICTION	United States District Court for the District of South Dakota, Southern Division
DECIDED	March 19, 2026
DOCKET	4:26-CV-04002-KES
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved for an extension of the deadline to file objections to a magistrate judge's Report and Recommendation.
PRECEDENTIAL VALUE	Unknown
PARTIES	Jogaak Deng Jogaak v. Tabitha Benting

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

1. Whether the petitioner should receive an extension of the deadline to file objections to the magistrate judge's Report and Recommendation when the court could not determine when the petitioner delivered his motion to prison authorities for mailing.

HOLDINGS

1. The court granted the petitioner's motion for an extension because it was possible that he delivered the motion to prison authorities for mailing on or before the objection deadline.

FACTUAL BACKGROUND

The magistrate judge issued a Report and Recommendation on March 2, 2026. Objections were due on March 16, 2026. Petitioner Jogaak Deng Jogaak, incarcerated at the South Dakota State Penitentiary, submitted a motion for an extension, but the motion was undated and bore an illegible postmark.

PROCEDURAL HISTORY

The magistrate judge issued a Report and Recommendation on March 2, 2026, making objections due March 16, 2026. Petitioner filed a motion for an extension, but the court could not determine when he mailed it because the letter was undated and the postmark was illegible. The district court granted the motion and extended the objection deadline to April 20, 2026.

DISPOSITION

other

CASES CITED

- Nichols v. Bowersox, 172 F.3d 1068, 1077 (8th Cir. 1999)