

**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

OPINION

Jogaak

PER CURIAM.

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

JOGAAK DENG JOGAAK, 4:26-CV-04002-KES

Petitioner,

vs. ORDER GRANTING MOTION TO

EXTEND

TABITHA BENTING,

Defendant. Petitioner, Jogaak Deng Jogaak, moves for an extension of the deadline to file objections to the Magistrate Judge's Report and Recommendation (Docket13). Docket 17. The report was issued on March 2, 2026, and objections were due on March 16, 2026. See Docket 13. The court cannot discern the date on which Jogaak mailed his motion from the South Dakota State Penitentiary because the letter is undated and the postmark is illegible. See Docket 17. The court therefore grants Jogaak's motion because it is possible that he delivered his motion to prison authorities for mailing to the clerk of court on or before March 16, 2026, the date his objections were due. See *Nichols v. Bowersox*, 172 F.3d 1068, 1077 (8th Cir. 1999). Good cause appearing, it is ORDERED that petitioner's motion (Docket 17) is granted. Petitioner must file his objections to the report and recommendation on or before April 20, 2026. Dated March 19, 2026. BY THE COURT: /s/ Karen E. Schreier

KAREN E. SCHREIER

UNITED STATES DISTRICT JUDGE