

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOHN F. KENNEDY, *et al.*,

*Plaintiffs,*

v.

EDDIE GARCIA, *et al.*,

*Defendants.*

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Civil Action No. 3:23-CV-2603-N-BT

**DEFENDANT EDDIE GARCIA’S UNOPPOSED MOTION TO EXTEND DEADLINE  
FOR REPLY**

**I. BACKGROUND**

On December 14, 2023, Plaintiffs filed their Verified Complaint for Declaratory Relief (the “Original Complaint.”) ECF No. 3. On February 26, 2024, Defendant DPD Chief Eddie Garcia (“Defendant”) filed his Motion to Dismiss. ECF No. 19. After this Court granted an unopposed extension of time (ECF No. 22), Plaintiffs timely filed their Response. ECF No. 25. Pursuant to Federal Rules of Civil Procedure, Defendant’s deadline to file a reply is today.

For reasons stated below, Defendant asks this Court to extend his deadline to file responsive pleadings by 30 days to May 14, 2024.

**II. ARGUMENT AND AUTHORITIES**

A district court may, for good cause, extend the time by when an act must be done if the request is made before the original time or the extension expires. Fed. R. Civ. P. 6(b)(1)(A). Here, good cause exists to grant the relief sought.

After Plaintiffs’ Response was filed, undersigned counsel was unexpectedly staffed on two imminent state court jury trials due to staff turnover at the Dallas City Attorney’s Office:

- *Branch v. Rettig, et al.*, DC-22-09242, 116<sup>th</sup> District Court—originally set for trial

April 15, 2024 and now on the Court's two-week trial docket; and

- *Thompson v. Mazza, et. al*, DC-22-12476, 162<sup>nd</sup> District Court—set for trial April 23, 2024.

This is in addition to numerous pending deadlines for substantive briefing in the Fifth United States Court of Appeals for the Fifth Circuit and the Northern District of Texas.<sup>1</sup> This request is not for purposes of delay and will not prejudice any party.

WHEREFORE, the Defendant prays the Court grant this motion and enter an order extending the deadline to file responsive pleadings to May 14, 2024.

CITY ATTORNEY OF THE CITY OF DALLAS

TAMMY L. PALOMINO  
City Attorney

/s/ J. Cheves Ligon

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<sup>1</sup> *E.g., Frias et al. v. Hernandez et al.*, 3:23-cv-550-D (N.D.Tex.) (deadline to appeal: April 22, 2024); *Rusanowsky v. City of Dallas, et al.*, 3:22-cv-01132-K (N.D.Tex.) (deadline to file reply in support of summary judgment: April 29, 2024); and *Crenshaw v. Anderson, et al.*, 3:24-00731-L (N.D.Tex.) (deadline for responsive pleading: April 30, 2024).

**CERTIFICATE OF CONFERENCE**

I certify that on April 4, 2024, Plaintiff Mrs. Hilda Kennedy extended the offer to an extension. Undersigned thanks Plaintiffs for their gracious offer and continued courtesy.

*/s/ J. Cheves Ligon*  
Senior Assistant City Attorney

**CERTIFICATE OF SERVICE**

I certify that on April 16, 2024, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the CM/ECF electronic case filing system of the court. The electronic case filing system will send a “Notice of Electronic Filing” notification to all case participants registered for electronic notice, including all *pro se* parties and/or attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

*s/ J. Cheves Ligon*  
J. Cheves Ligon  
Senior Assistant City Attorney