

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TERRY PETTEWAY, THE
HONORABLE DERRECK ROSE,
MICHAEL MONTEZ, SONNY JAMES
and PENNY POPE,

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Plaintiffs,

Civil Action No. 3:22-cv-57

v.

GALVESTON COUNTY, TEXAS, and
HONORABLE MARK HENRY,
in his official capacity as Galveston
County Judge,

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

v.

GALVESTON COUNTY, TEXAS,
GALVESTON COUNTY
COMMISSIONERS COURT, and
HONORABLE MARK HENRY, in
his official capacity as Galveston County
Judge,

Defendants.

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Civil Action No. 3:22-cv-93

DICKINSON BAY AREA BRANCH
NAACP, GALVESTON BRANCH
NAACP, MAINLAND BRANCH
NAACP, GALVESTON LULAC
COUNCIL 151, EDNA COURVILLE,
JOE A. COMPIAN, and LEON
PHILLIPS,

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Civil Action No. 3:22-cv-117

Plaintiffs,

v.

GALVESTON COUNTY, TEXAS,
HONORABLE MARK HENRY, in
his official capacity as Galveston County
Judge, and DWIGHT D. SULLIVAN, in
his official capacity as Galveston County
Clerk

Defendants.

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**DEFENDANTS’ CONSENT MOTION FOR
EXTENSION OF TIME TO FILE ANSWERS IN RESPONSE TO
PLAINTIFFS’ OPERATIVE COMPLAINTS**

Defendants Galveston County, Texas, the Galveston County Commissioners Court, County Judge Mark Henry, and County Clerk Dwight Sullivan (“Defendants”), pursuant to Rule 6, respectfully move the Court for an extension of time to file their Answers to each of Plaintiffs’ operative Complaints, from April 13, 2023 to April 21, 2023. Plaintiffs consent to this requested extension of time.

1. On March 30, 2023, the Court entered three separate orders denying Defendants’ Motions to Dismiss Plaintiffs’ operative Complaints. ECF 123, 124, and 125.
2. Pursuant to Federal Rule of Civil Procedure 12(b)(4)(A), Defendants have until April 13, 2023 to file their Answers to each of Plaintiffs’ operative Complaints.
3. Defendants are requesting an extension of eight days to file their Answers to Plaintiffs’ operative Complaints, for a deadline of April 21, 2023.
4. Good cause exists for this request. Defendants had 14 days under the Rules in which to prepare and file answers to three separate complaints (approximately 470 paragraphs of separate allegations). Between March 30 and April 13, 2023, Defendants have, among

other things, prepared for and taken eight depositions, prepared for and defended an expert deposition, worked on responses to requests to 90 requests for admissions, and attended to discovery disputes with Plaintiffs.

5. Defendants have conferred with each of the Plaintiffs in this consolidated action, and counsel for all three groups has consented to the instant Motion.

WHEREFORE, Defendants respectfully request that the Court extend the time to file Answers to each of Plaintiffs' operative Complaints from April 13, 2023 to April 21, 2023.

DATE: April 13, 2023

Respectfully Submitted,

HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIK PLLC

GREER, HERZ & ADAMS, L.L.P.

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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on the 13th day of April, 2023, a true and correct copy of the foregoing was served via email upon all counsel of record.

/s/ Angie Olalde

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TERRY PETTEWAY, et al.,
Plaintiffs,

v.

GALVESTON COUNTY, TEXAS, et al.,
Defendants.

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Civil Action No. 3:22-cv-57

(consolidated with 3:22-cv-93 and 3:22-cv-117)

ORDER

The Court has considered the Consent Motion of Defendants Galveston County, Texas, the Galveston County Commissioners Court, County Judge Mark Henry, and County Clerk Dwight Sullivan (“Defendants”) to extend the time to file their answers to April 21, 2023. The Motion is hereby GRANTED.

Dated: _____, 2023

JUDGE PRESIDING