

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

JAMES H. LESAR,)
)
Plaintiff-Appellant,)
)
v.) No. 78-2305
)
UNITED STATES DEPARTMENT OF JUSTICE,)
)
Defendant-Appellee.)

APPELLEE'S MOTION FOR A FURTHER
EXTENSION OF TIME WITHIN WHICH TO FILE THE BRIEF

The appellee, the Department of Justice, respectfully requests a further extension of fourteen days, to and including February 20, 1980, within which to file its brief. In support of this motion, appellee's counsel state as follows:

1. The brief is presently due on February 6, 1980, the deadline having been extended previously with the consent of the appellant pro se.

2. Primary responsibility for the preparation of the brief is assigned to Linda Jan S. Pack, Civil Division, Appellate Staff, Department of Justice. During the past several weeks, Mrs. Pack has been fully occupied with other appellate work including but not limited to the following: Appellee Brief filed on January 18, 1980 in Letcher Adams v. Secretary of HEW (C.A. 4, No. 79-1678); Memorandum on Appellate Jurisdiction filed on January 2, 1980 in Billie Jean Hammond v. Secretary of HEW (C.A. 10, No. 79-2123); evaluation of the government's appellate position and interests in Kenneth W. Davis, Jr. v. Ernst Erdmann (C.A. 10, No. 79-1382, certiorari deadline January 13, 1980), Albert Sharpe v. Secretary of HEW

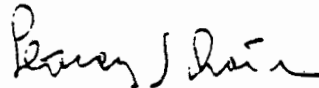
(S.D. N.Y., No. 79 Civ. 1977-CSH, appeal deadline January 14, 1980). Because of this heavy appellate work load resulting from the staff shortage in this office, it has been impossible for Mrs. Pack to resume work on the brief in this appeal until yesterday. This appeal involves several complex legal issues, as well as a voluminous district court record and an extensive collection of disputed documents. The completion of the brief -- including research, writing, reviewing, and printing -- will require the full two weeks' extension of time which are requested in this motion.

3. The appellant pro se, James H. Lesar, has authorized us to state that he consents to the requested extension of time.

4. No further extensions of time will be requested.

For the reasons stated above, appellee respectfully requests an extension of time to and including February 20, 1980, within which to file the brief.

Respectfully submitted,



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