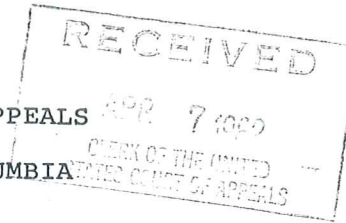


IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA



HAROLD WEISBERG, :
 :
 Plaintiff-Appellant :
 :
 v. : No. 82-1072
 :
 U.S. DEPARTMENT OF JUSTICE, :
 ET AL., :
 :
 Defendants- Appellees :

APPELLANT'S MOTION FOR LEAVE TO FILE
BRIEF AND APPENDIX OUT OF TIME

Comes now the appellant, Mr. Harold Weisberg, and moves the Court for leave to file his brief and appendix out of time. In support of motion, appellant represents to the Court as follows:

1. Appellant's brief was due on March 31, 1982. On that date appellant filed a motion for an additional six days, to and including April 6, 1982, within which to file his brief. The motion explained the reasons for the delay, and an accompanying motion for leave to file the motion for extension of time recited that appellees would not oppose the motion.

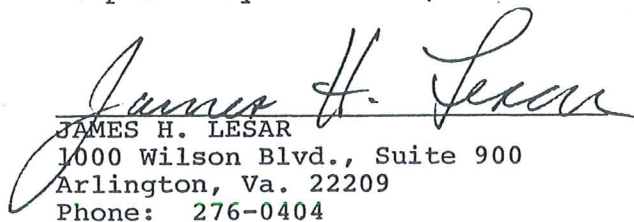
2. Appellant's counsel completed the brief at 3:30 a.m. on April 7, 1982, and it is being lodged with the Court herewith.

3. Appellant's counsel was unable to complete the brief on April 6th as anticipated in part because he had to spend several hours on Saturday, April 3rd, Sunday April 4th, and Monday April 5th assisting an elderly person in economic distress make an appli-

cation to invade the principal of a trust. Because the client faces eviction, among other things, if financial relief is not forthcoming, appellant's counsel felt he had to devote some attention to it immediately notwithstanding the fact that his brief was overdue in this case.

4. In addition, appellant's counsel also had to spend time on April 3rd working on papers due on April 5, 1982 in *Weisberg v. Department of Justice*, Civil Action No. 78-0322/78-420 (consolidated), and this took somewhat longer than anticipated.

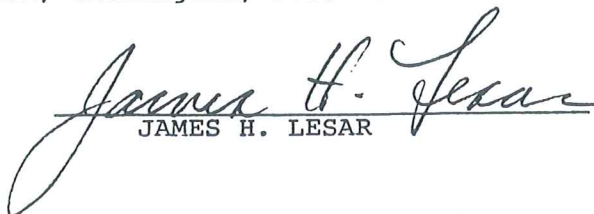
Respectfully submitted,


JAMES H. LESAR
1000 Wilson Blvd., Suite 900
Arlington, Va. 22209
Phone: 276-0404

Attorney for Appellant,

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of April, 1982, hand-delivered a copy of the foregoing motion for leave to file brief and appendix out of time to the office of Mr. William G. Cole, U.S. Department of Justice, Washington, D.C. 20530.


JAMES H. LESAR