

No. 12-17808

**In the United States Court of Appeals
for the Ninth Circuit**

George K. Young, Jr.

Plaintiff-Appellant,

v.

State of Hawaii, et al.

Defendants-Appellees.

**Appeal from a Judgment of United States District Court
For the District of Hawaii
Civ. No. 12-00336-HG-BMK
United States District Court Judge Helen Gillmor**

**Appellant's Unopposed Motion for an Extension of Time to File His
Opposition to Appellees' Petition for Rehearing En Banc**

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**Appellant's Unopposed Motion for an Extension of Time to File His
Opposition to Appellees' Petition for Rehearing En Banc**

Pursuant to Fed. R. App. P. 26(b) and Circuit Rule 31-3.2.2(b), Mr. Young respectfully moves this Court for a thirty (30) day extension to file his Response in Opposition to the Defendants' Petition for Rehearing En Banc. Currently, the deadline for Mr. Young to submit his Response is October 9, 2018. This motion is filed at least seven (7) days before the expiration of the time prescribed for filing the brief and is the first request for an extension of time in which to file his Response. Mr. Young respectfully requests an additional thirty (30) days, or until November 8, 2018, in which to file his Response.

Counsel for Mr. Young have been diligently working on the Response, even before the Order to respond was issued given the certainty that a response would be ordered. Defendants' filed their Petition on September 14, 2018. Then, four amici briefs supporting Defendants' Petition were filed on September 24, 2018. These additional briefs, coupled with the Attorney General's new Opinion, all need to be fully analyzed and reviewed and addressed. Mr. Young's counsel needs additional time in order to present this Court with a full and complete response given the tremendously important issues before this Court and the additional amici involved. As further set forth in the attached declarations, good cause exists for an extension.

Mr. Young is represented by two solo practitioners who have devoted a substantial amount of time in representing Mr. Young across a number of years. Counsel for Mr. Young have worked diligently in preparing Mr. Young's Response and in light of the additional amici and schedules of Mr. Beck and Mr. Stamboulieh, a brief extension, not to extend thirty (30) days is necessary and would be helpful so that Mr. Young's response can fully address the matters before this Court. The Response will be filed within the time requested.

Additionally, counsel for Mr. Young represents that counsel for the Defendants have stated that they do not oppose an extension of thirty (30) days. The court reporter is not in default with regard to any designated transcripts.

Respectfully submitted, this the 30th day of September, 2018.

s/ Alan Beck

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s/ Stephen D. Stamboulieh

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CERTIFICATE OF SERVICE

On this, the 30th day of September 2018, I served the foregoing pleading by electronically filing it with the Court's CM/ECF system which generated a Notice of Filing and effects service upon counsel for all parties in the case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 30th day of September 2018.

s/ Stephen D. Stamboulieh