

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DUY T. MAI,
Plaintiff-Appellant,

v.

UNITED STATES, et al.,
Defendants-Appellees.

No. 18-36071

UNOPPOSED MOTION FOR A 14-DAY EXTENSION OF TIME
TO FILE RESPONSE BRIEF

Pursuant to Rules 26 and 27 of the Federal Rules of Appellate Procedure, the government respectfully moves for an extension of fourteen (14) days, to and including June 5, 2019, in which to file its response brief. In support of this motion, the government states the following:

1. Plaintiff brings an as-applied challenge to the constitutionality of the federal firearms prohibition found in 18 U.S.C. § 922(g)(4). The district court granted the government's motion to dismiss on February 8, 2018.

2. Plaintiff filed his opening brief on March 20, 2019. The government sought and was granted a 30-day streamlined extension of time. The government's response brief is currently due on May 22, 2019.

3. The requested 14-day of extension is necessary in light of the press of other litigation and administrative matters and the time needed to complete consultation

within the Department of Justice. Specifically, the attorney with primary responsibility for this matter, Abby Wright, is tasked with numerous administrative matters in the relevant timeframe, along with the filing of a reply in support of a motion to dismiss on May 17, 2019, in *Cole v. FAA*, No. 18-60600 (5th Cir.), and supervision and review of a brief filed May 21, 2019, in *Senn Freight v. United States*, No. 19-1177 (4th Cir.). In addition Ms. Wright will not be in the office on May 22, 2019. Fourteen additional days will furthermore permit Ms. Wright to complete consultations within the Department of Justice regarding the government's response brief.

4. The government has contacted counsel for plaintiff who has indicated that he does not oppose this motion.

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Respectfully submitted,

/s/ Abby C. Wright

ABBY C. WRIGHT

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Attorney for Respondent

MAY 2019

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 334 words, according to the count of Microsoft Word.

/s/ Abby C. Wright
Abby C. Wright
Counsel for defendants-appellees
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CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2019, I filed and served the foregoing with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ Abby C. Wright
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