
**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

Case No. 22-2183

Matthew A. Kezhaya,

Appellant,

v.

City of Belle Plaine, Minnesota,

Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
District Court Civil No. 0:21-cv-00336-WMW
District Court Judge Hon. Wilhelmina Wright

**APPELLEE'S MOTION FOR EXTENSION OF TIME
TO FILE OPENING BRIEF**

Appellee City of Belle Plaine, Minnesota (Appellee), under Federal Rule of Appellate Procedure 26, hereby moves the Court for an extension of time of 30 days in which to file its brief and separate appendix. Appellee has not sought any previous extensions in this matter. Per the briefing schedule, the brief and separate appendix are currently due on December 5, 2022. If the

Court grants this request, Appellee's brief and separate appendix will be due on January 4, 2023.

Good cause exists for the requested extension. The requested 30-day extension is necessary to ensure an adequate opportunity to prepare Appellee's brief. Appellee's counsel have multiple other deadlines and oral arguments. Appellee's counsel also have a trial and previously scheduled travel over the Thanksgiving holiday.

In addition, Appellant Matthew Kezhaya received three extensions to file his brief, which was originally due on July 26, 2022. Given the long time Appellant had to prepare his brief, it is only fair that Appellee receive an extension.

Accordingly, Appellee respectfully requests an extension of time of 30 days in which to file its brief and separate appendix.

Dated: November 14, 2022

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s/Monte A. Mills

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CERTIFICATE OF SERVICE

I hereby certified that on November 14, 2022, I caused the foregoing motion to be served on all parties through the court's NextGen CM/ECF electronic service system.

s/Monte A. Mills

Monte A. Mills

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g)(1), the undersigned certifies that this motion complies with the type-volume limitations of Fed. R. App. P. 27(d)(2). The motion was prepared using Microsoft Word in Office 365, which reports that the brief contains 193 words, excluding items listed in Fed. R. App. P. 27(a)(2)(B).

s/Monte A. Mills

Monte A. Mills