

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOANNA CASTRO,  
*PLAINTIFF*

V.

Case No. 5:18-CV-312-DAE

ALBERT SALINAS, et al.  
*DEFENDANTS*

**PLAINTIFF'S SECOND MOTION TO EXTEND TIME TO FILE RESPONSE  
TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

TO THE HONORABLE DISTRICT COURT JUDGE EZRA:

Now comes Plaintiff, Joanna Castro, and moves the Court to extend time to file her response to the Defendants' Motion for Summary Judgment, and would show as follows in support of said Motion:

1. Defendants filed their Motion for Summary Judgment October 11, 2019.
2. Counsel asked for and received one prior extension of 7 days, making her response due November 1, 2019.
3. On Sunday, October 27, 2019, Counsel finished and filed a Rule 12(b)(6) response in *Apodaca-Fisk v. Allen*, Case Number 3:19-CV-00259, pending in the Western District, El Paso Division. On Monday, October 28, 2019, Counsel dedicated the day to a suppression hearing in *State v. Manuel Hernandez*, Case Number C-1-CR-18-500857, in Travis County Court at Law Number 8. On October 29, 2019, Counsel was in a

deposition on *Thomas Kost v. Ricky Cotto*, pending in the Western District, Austin Division, Case Number 1:19-CV-25. Then, Wednesday, October 30, 2019, Counsel dedicated the day to a suppression hearing in *State v. Jack Miller*, Case Number 2018CR8725, which is pending in the 186<sup>th</sup> District Court of Bexar County (though, the motion was heard by the Magistrate Judge). Thursday, the 31<sup>st</sup>, counsel had regular court settings for felony offenses in Gillespie and Travis Counties. Friday, November 1<sup>st</sup>, Counsel was set for trial in *State v. Jack Miller*, which required her morning to get the case reset.

4. Counsel grossly *underestimated* the likelihood that the suppression motions would proceed to hearings, and grossly *overestimated* her ability to multi-task. Counsel needs an additional day to finish her response in the case at bar.
5. This Motion is not made for the purpose of delay, but so that justice may be done.
6. Counsel asks for an extension until November 4, 2019 to file her response in opposition to the Defendant's Motion for Summary Judgment.

Respectfully Submitted,  
PLAINTIFF

By:  
/s/ Millie L. Thompson  
Millie L. Thompson  
Texas State Bar Number: 24067974  
*The Law Office of Millie L. Thompson*  
1411 West Ave., Ste. 100  
Austin, Texas 78701  
Telephone: (512) 293-5800  
Fax: (512) 682-8721

Email: [millieaustinlaw@gmail.com](mailto:millieaustinlaw@gmail.com)

### **Certificate of Conference**

I, Millie Thompson, do hereby certify that on November 1, 2019, I emailed and called opposing counsel Adolfo Ruiz regarding this motion. He has not yet expressed whether he is opposed or unopposed to the relief sought.

Denton Navarro Rocha Bernal & Zech  
2517 N. Main Ave.  
San Antonio, TX 78212  
(210) 227-3243  
F (210) 225-4481  
[Patrick.bernal@rampage-sa.com](mailto:Patrick.bernal@rampage-sa.com)  
[Adolfo.ruiz@rampage-sa.com](mailto:Adolfo.ruiz@rampage-sa.com)

/s/ Millie L. Thompson  
Millie Thompson, Plaintiff's Attorney

### **Certificate of Service**

I, Millie Thompson, do hereby certify that on November 1, 2019, a true and correct copy of this Plaintiff's Second Motion to Extend Time to File was served on all parties of record via email to

Denton Navarro Rocha Bernal & Zech  
2517 N. Main Ave.  
San Antonio, TX 78212  
(210) 227-3243  
F (210) 225-4481  
[Patrick.bernal@rampage-sa.com](mailto:Patrick.bernal@rampage-sa.com)  
[Adolfo.ruiz@rampage-sa.com](mailto:Adolfo.ruiz@rampage-sa.com)

/s/ Millie L. Thompson  
Millie Thompson, Plaintiff's Attorney