

1
2 **IN THE UNITED STATES COURT OF APPEALS**
3 **FOR THE NINTH CIRCUIT**

4 * * * * *

5 JOSE DECASTRO,

Case No.: 26-1594

6 PLAINTIFF-APPELLANT,

7
8 VS.

9 LAS VEGAS METROPOLITAN
10 POLICE DEPARTMENT, ET AL.,

11 DEFENDANTS - APPELLEES.
12

13
14 **APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME TO**
15 **FILE OPENING BRIEF**

16 **MICHAEL MEE, ESQ.**

17 Bar No. 13726

18 400 S. 4th Street #300

19 Las Vegas, NV 89101

20 E-mail: mmee@defenselawyervegas.com

21 Phone: 702-990-0190

22 Counsel for Appellant
23
24
25

MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to Federal Rule of Appellate Procedure 26(b) and Ninth Circuit Rule 31-2.2(b), Appellant Jose DeCastro respectfully moves this Honorable Court for an order extending the deadline for the filing of the opening brief and the excerpts of record by sixty (60) days, from the present due date of July 27 2026, to and including **September 27, 2026**.

This matter has been pending before this Court, and one prior extension was granted during the course of mediation. The parties thereafter engaged in mediation proceedings under the supervision of the mediation program, which subsequently ended without an agreement having been reached.

Counsel for Appellant has previously sought an extension of the briefing schedule by formal motion, which was granted once, setting a new due date of July 27, 2026. Appellant has asked this Court, by motion under Circuit Rule 31-2.2(b), to enlarge the time within which to file the opening brief.

For the foregoing reasons, and upon the matters set forth in the accompanying Declaration of Counsel, Appellant respectfully prays that this Honorable Court enter its order extending the deadline for the filing of the opening brief and the excerpts of record to and including **September 27, 2026**.

DATED this 26th day of July, 2026.

/s/ Michael Mee, Esq.
MICHAEL MEE, ESQ.
Nevada Bar No. 13726

DECLARATION OF COUNSEL

1
2 1. That I am an attorney licensed in the State of Nevada, who has also
3 been admitted to practice before the United States District Court for the District
4 of Nevada, and the Ninth Circuit Court of Appeals, and that the above matters are
5 true or stated upon information and belief.

6 2. That, for these reasons, respectfully, Appellant requests, pursuant to
7 Ninth Circuit Court Rule 31-2.2 and Federal Rules of Appellate Procedure 26(b)
8 and 31, for an extension of time of approximately 60 days through September 28,
9 2026.

10 DATED this 27th day of July, 2026.

11 /s/ Michael Mee, Esq.
12 MICHAEL MEE, ESQ.
13 Nevada Bar No. 13726
14 400 S. 4th Street #300
15 Las Vegas, NV 89101
16 E-mail: mmee@defenselawyervegas.com
17 Phone: 702-990-0190
18
19
20
21
22
23
24
25

CERTIFICATE OF SERVICE

The foregoing was served via the Court's electronic filing and e-service system on the below date.

DATED this 27th day of July, 2026.

/s/ Michael Mee, Esq.

MICHAEL MEE, ESQ.

Nevada Bar No. 13726

400 S. 4th Street #300

Las Vegas, NV 89101

E-mail: mmee@defenselawyervegas.com

Phone: 702-990-0190