

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Civil Action No. 2:09-cv-0065 SD
)
NEW BLACK PANTHER PARTY)
FOR SELF-DEFENSE, an)
unincorporated association, MALIK ZULU)
SHABAZZ, MINISTER KING SAMIR)
SHABAZZ aka MAURICE HEATH, and)
JERRY JACKSON,)
)
Defendants.)
_____)

**MOTION FOR EXTENSION OF TIME TO COMPLY WITH THIS COURT'S ORDER
OF APRIL 20, 2009**

Plaintiff, United States of America, moves this Court for a two-week extension of time to comply with the Court's order of April 20, 2009.

1. The default of Defendants, New Black Panther Party for Self-Defense, an unincorporated association, Malik Zulu Shabazz, Minister King Samir Shabazz, and Jerry Jackson was entered by the Clerk of the Court on April 2, 2009.

2. This Court entered an Order on April 20, 2009 requiring the United States to file a Motion for Default Judgment by May 1, 2009.

3. On April 28, 2009, the United States provided notice to the Defendants that a motion for default judgment would be filed after at least three days.

4. The United States seeks an extension until May 15, 2009, to file a motion to respond to the Court's order. The United States recognizes that extensions of time are

particularly disfavored by this Court, but believes the interest of justice warrants a short extension.

5. There are two principal reasons the United States seeks this extension. First, the United States seeks to craft an appropriate equitable remedy based on current circumstances and seeks additional time to draft and submit a proposed order that contains appropriate final equitable relief. Because the United States did not anticipate that the Defendants would make no showing whatsoever, careful consideration of appropriate final relief in the interest of justice warrants additional time. Secondly, the United States has not had the benefit of discovery in this matter. The United States' crafting of appropriate final equitable relief does not have the benefit of a developed factual record. Accordingly, the United States is forced to rely on the facts and circumstances it has developed to date, and its responsibility to craft appropriate relief requires a careful and searching assessment.

6. Therefore, the United States seeks an extension until May 15, 2009, to respond to the Court's order of April 20, 2009.

Respectfully submitted,

LORETTA KING
Acting Assistant Attorney General

CHRISTOPHER COATES
Chief, Voting Section

ROBERT D. POPPER
Deputy Chief

s/ J. Christian Adams
J. CHRISTIAN ADAMS
SPENCER R. FISHER

Attorneys
United States Department of Justice
Civil Rights Division, Voting Section
950 Pennsylvania Avenue, N.W.
NWB - Room 7146
Washington, D.C. 20006
202-305-0015 phone
202-307-3961 fax
J.christian.adams@usdoj.gov

CERTIFICATE OF SERVICE

I certify that, prior to 5:00 p.m. on May 1, 2009 a true and correct copy of the foregoing Motion for Extension of Time was placed in the United States mail, in a properly-addressed envelope, with first-class postage duly paid and affixed to the envelope, and with the envelope addressed to the following non-CM/ECF participants:

1. Malik Zulu Shabazz
Defendant
Chairman, New Black Panther Party for Self-Defense, an unincorporated association
4043 Clay Place, NE
Washington, DC 20019
2. Jerry Jackson
Defendant
813 N. Parks St.
Philadelphia, PA 19123
3. Minister King Samir Shabazz a/k/a Maurice Heath
Defendant
1522 S. 20th Street
Philadelphia, PA 19146
4. Michael Coard, Esq.
1 Liberty Place
1650 Market Street
Suite 3652
Philadelphia, PA 19107

This Certificate was executed on May 1, 2009 at Washington, DC.

s/ J. Christian Adams
J. Christian Adams
Attorney
United States Department of Justice
Civil Rights Division, Voting Section
950 Pennsylvania Avenue, N.W.
NWB - Room 7146
Washington, D.C. 20006
202-616-4227 phone
202-307-3961 fax
J.christian.adams@usdoj.gov