

IN THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

TAB BONIDY, et al.,

Plaintiffs-Appellees/Cross-Appellants,

v.

UNITED STATES POSTAL SERVICE, et al.,

Defendants-Appellants/Cross-Appellees.

Nos. 13-1374, 13-1391

**UNOPPOSED MOTION FOR EXTENSION OF TIME  
IN WHICH TO FILE RESPONSE/REPLY BRIEF**

The government hereby moves for a 28-day extension of time, to and including Thursday, March 6, 2014, to file its brief as appellee. Counsel for plaintiffs has authorized us to indicate that this motion is unopposed.

1. This appeal and cross-appeal arise in a Second Amendment challenge to a United States Postal Service regulation that prohibits firearms on Postal Service property. The district court concluded that the regulation is valid as applied within the post office building, but ordered the government to permit plaintiff to bring a firearm into the parking lot adjoining the post office. Both sides have appealed.

2. The government's opening brief was filed on November 20, 2013. Plaintiffs' corrected opening brief was filed on January 2, 2014. The government's response/reply brief is currently due on February 6, 2014. We have not previously sought an extension of this deadline.

3. The government seeks this extension in light of other appellate litigation responsibilities. Daniel Tenny is the Department of Justice, Civil Division, Appellate Staff, attorney with principal responsibility for drafting the government's brief. On January 17, 2014, Mr. Tenny presented oral argument in the Eleventh Circuit in *Bryant v. United States*, Nos. 12-15424, 12-16174 (11th Cir.). On January 29, 2014, Mr. Tenny will file the government's brief in *Taransky v. Sebelius*, No. 13-3483 (3d Cir.), after obtaining a 37-day extension. On February 11, 2014, Mr. Tenny will present oral argument in the Ninth Circuit in *Los Feliz Ford v. Chrysler Group LLC*, No. 12-56082 (9th Cir.). Mr. Tenny is also working on a response to a petition for certiorari in *Nomura Home Equity Loan, Inc. v. National Credit Union Administration Board*, No. 13-576 (S. Ct.), and a reply brief in *Hodge v. Talkin*, No. 13-5250 (D.C. Cir.), each of which is currently due on February 13, 2014.

4. Counsel for plaintiff has authorized us to represent that this motion is unopposed.

Respectfully submitted,

MICHAEL S. RAAB

s/ Daniel Tenny  
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JANUARY 2014

## CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2014, I electronically filed the foregoing with the Clerk of the Court by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users and service will be accomplished by the appellate CM/ECF system.

s/ Daniel Tenny  
DANIEL TENNY