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George W. Bush



Swearington
file

U.S. Department of Justice

*United States Attorney
Southern District of Mississippi*

Suite 500
188 East Capitol Street
Jackson, Mississippi 39201

601-973-2806

May 16, 2001

VIA HAND DELIVERY

Honorable James Sumner
United States Magistrate Judge
245 East Capitol Street, Suite 400
Jackson, Mississippi 39201

Re: Derritt Swearington v. President of United States George Bush
USDC SDMS Civil Action No. 3:01-cv-200WS

Dear Judge Sumner:

In connection with above-referenced civil action, I am enclosing a copy of Motion for Additional Time which was filed with the Clerk today. Also included herewith is a proposed Order for the Court's consideration. Should the Court have any questions or need additional information, please feel free to contact me.

Sincerely,

JAMES B. TUCKER
United States Attorney

By:

SCOTT NEWTON
Assistant United States Attorney

SN:cm

Enclosures

cc: Mr. Derritt Swearington (w/enc.)

bcc: ✓Brett Kavanaugh
Associate Counsel to the President (w/enc.)

Philip Perry, Associate Deputy Attorney General,
United States Department of Justice (w/enc.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

DERRITT SWEARINGTON

PLAINTIFF

V.

CIVIL ACTION NO. 3:01-cv-200WS

**PRESIDENT OF THE UNITED STATES,
GEORGE BUSH**

DEFENDANT

MOTION FOR ADDITIONAL TIME

The Defendant, President of the United States George Bush, by and through the United States Attorney for the Southern District of Mississippi, respectfully submits this Motion for Additional Time, pursuant to Rule 6 of the Federal Rules of Civil Procedure, seeking an Order that Defendant be allowed sixty days from the date of the Order to answer or otherwise respond to the Complaint filed by the Plaintiff and would show unto the Court as follows, to-wit:

1. This Motion for additional of time is brought to provide ample time for the Defendant to investigate and obtain information to appropriately plead, answer, or otherwise respond to Plaintiff's Complaint.
2. This extension of time will not prejudice the Plaintiff and will allow the Defendant to fully address the issues raised in the Complaint.
3. By submitting this Motion for additional time, the Defendant does not waive any defenses which he may have to this suit, whether jurisdictional or otherwise, and reserves the right to raise any and all defenses when he responds in this case.
4. The Plaintiff is a *pro se* litigant, and the undersigned Assistant United States Attorney has not communicated with Plaintiff about this Motion.

WHEREFORE, PREMISES CONSIDERED, the United States Attorney, making a limited and special appearance herein on behalf of the Defendant, requests that this Court grant additional time to plead, answer or otherwise respond to the Complaint filed herein for a period of sixty days after the issuance of said Order.

DATED, this the 16th day of May, 2001.

Respectfully submitted,

JAMES B. TUCKER
UNITED STATES ATTORNEY

By



SCOTT NEWTON
Assistant United States Attorney
188 East Capitol Street, Suite 500
Jackson, Mississippi 39201-0101
(601) 973-2806
Mississippi Bar No. 8875

OF COUNSEL:


Philip Perry
Associate Deputy Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW, Room 4131
Washington, DC 20530

CERTIFICATE OF SERVICE

I, SCOTT NEWTON, Assistant United States Attorney, hereby certify that I have this day mailed, postage prepaid, a true copy of the foregoing document to:

Derritt Swearington
672 Forest Avenue
Jackson, MS 39206

This the 16th day of May, 2001.



SCOTT NEWTON
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

DERRITT SWEARINGTON

PLAINTIFF

V.

CIVIL ACTION NO. 3:01-cv-200WS

PRESIDENT OF THE UNITED STATES,
GEORGE BUSH

DEFENDANT

ORDER GRANTING
MOTION FOR ADDITIONAL TIME

This cause is before the Court on the Motion for Additional Time submitted on behalf of the Defendant, President of the United States George Bush. Having considered the Motion and having concluded that the Plaintiff will not be prejudiced by the requested extension of time, the Court finds that the Motion is well taken and should be granted.

IT IS THEREFORE ORDERED that the Motion for Additional Time submitted on behalf of the Defendant, President of the United States George Bush, should be and hereby is granted.

The Defendant shall submit an answer or otherwise respond to the Complaint filed by the Plaintiff within sixty days after the date of issuance of this Order.

SO ORDERED this the _____ day of May, 2001.

UNITED STATES MAGISTRATE JUDGE

SUBMITTED BY:



SCOTT NEWTON

Assistant United States Attorney
For the Defendant