

## MOTION FOR EXTENSION OF TIME FOR PARTIES SERVED BY MAIL

This template was prepared by the Justice & Diversity Center, a nonprofit organization, and is not an official court form. It can be used in civil lawsuits in the Northern District Court of California. This template provides guidance only. Using this template does not guarantee any result.

### ★ HOW TO GET LEGAL INFORMATION & ADVICE

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This template provides general guidance for asking the Court to grant extra days for you to respond to Motion papers served on you by mail. Make an appointment for free legal information and advice at one of the Legal Help Centers.

#### APPOINTMENTS – Based on the courthouse where complaint was filed

- ★ SAN FRANCISCO, OAKLAND, OR EUREKA-MCKINLEYVILLE  
Federal Pro Bono Project | [fedpro@sfbar.org](mailto:fedpro@sfbar.org) | (415) 782-8982  
**NOTE:** Contact for scheduling only – no legal advice is given when scheduling.
- ★ SAN JOSE  
Federal Pro Se Program | (408) 297-1480  
Drop-in hours Tuesday and Thursday from 9:00 a.m. to 4:00 p.m.  
280 South 1st Street, 2nd Floor, Room 2070, San Jose

### ★ WHO SHOULD USE THIS TEMPLATE

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If you are not using the Court’s electronic case filing system (“ECF”), you should receive any Motion papers served by the opposing side by mail. You normally have 14 days from the date a Motion is filed to respond, even if you do not receive it that day. You may submit this motion to request that the Court grant you three (3) additional days to respond to Motion papers served on you by mail.

### ★ UNDERSTANDING LAWS & RULES

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The Legal Help Centers (see above) are the best resource for people without lawyers. There are other resources for understanding the laws and rules of the Court:

1. **Handbook for Pro Se Litigants** – The Handbook is a procedural guide for people who are representing themselves. It was prepared by the Court and is available at the Clerk’s Office or on the Court’s website at: <https://www.cand.uscourts.gov/pro-se-handbook/>.
2. **Legal Research Guide for Pro Se Litigants** – The Guide provides information for people who are representing themselves about how to do legal research, like finding statutes and decisions in other cases. It was prepared by the Justice & Diversity Center and is available at the Legal Help Centers and at: <https://www.cand.uscourts.gov/pro-se-litigants/legal-help-center-templates-packets/>.
3. **Federal Rules of Civil Procedure** – These Rules explain the procedures from filing through trial for all civil cases in the federal courts across the country and are available at: <https://www.uscourts.gov/rules-policies>.

4. **Civil Local Rules** – The Civil Local Rules follow the same numbering as the Federal Rules of Civil Procedure, but generally provide more detail. They apply in this District only and are available at: <https://www.cand.uscourts.gov/rules/civil-local-rules/>.

## ★ HOW TO COMPLETE THE MOTION TEMPLATE

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1. **Complete the Motion** – Fill in all the blanks on the Motion, including the case number and page number at the bottom of each page. Sign and date.
2. **Fill in the Case Information** – On the top of the first page, write your name, address, and check the box for the division to which your case has been assigned. Write in the plaintiff’s and defendant’s names in the middle of the page. Then, write in the case number and the judge’s name.
3. **Complete the Proposed Order** – Fill in all the case information and identify whether you are the Plaintiff or Defendant. Do not sign or date this document.
4. **Prepare the Certificate of Service** – Each document that you file must be “served” on each other party, usually by sending it in the mail. A Certificate of Service is a paper that lets the Court know that you served a certain document. To prepare the Certificate, follow the instructions on it.

## ★ FILING & SERVING YOUR MOTION

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1. **Copies** – Make three copies. Once you have completed and signed your Motion and Certificate, make three copies of each. On one copy of the documents, write “Chambers” on the top in pen. (If there is more than one plaintiff or defendant, you will also need one additional copy for each of them.)
2. **Serve the Motion** – Be sure that the Motion and Certificate are served on each other party.
3. **File the Motion** – Deliver or mail the original plus two copies of the Motion and Certificate to the Clerk’s Office at the federal courthouse where the Judge hearing your case is located. The Clerk will take the original and the copy marked “Chambers” of each document. The other copy is for you to keep after it is stamped by the Clerk.
  - a. **File by mail** – If you file by mail, include a self-addressed, stamped envelope so that the Clerk can send a copy of each document back to you.
  - b. **Register to become an e-filer** – Going forward, if you are interested in becoming an e-filer, registration information can be found here: <https://www.cand.uscourts.gov/e-file/>.

## ★ WHAT’S NEXT?

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The Court will decide whether to grant your motion or deny it. Be sure to check your mail regularly for an Order from the Court telling you the decision, and for other case-related documents. You must follow the decision the Court makes. If you do not hear from the Court, then assume that the time to file has not changed and you need to follow the original deadline.

## ★ STAY UP TO DATE

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1. **Communications** – Check your mail and tell the Court if you move. You must file a notice with the Clerk right away if your mailing address, email, or phone number changes or you may miss important deadlines, causing you to lose your case.
2. **Tracking** – Keep track of your case. A list of the documents that have been filed, and (usually) the documents themselves can be viewed online. Review the Pro Se Handbook Chapter 7 and contact the Legal Help Center to learn to access documents.
3. **Guidance** – Visit the Legal Help Center for more information about what happens next.

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Your Name: \_\_\_\_\_  
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Phone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Pro Se

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

Division [check one]: ☐ San Francisco ☐ Oakland ☐ San Jose ☐ Eureka-McKinleyville

_____	)	Case Number: _____
_____	)	
Plaintiff,	)	<b>MOTION FOR EXTENSION OF CIVIL</b>
	)	<b>LOCAL RULE 7-3 FILING DEADLINES FOR</b>
v.	)	<b>NON-ECF USER</b>
_____	)	JUDGE:
_____	)	Hon. _____
_____	)	
_____	)	
Defendant.	)	
_____	)	

1 As the *pro se* [Plaintiff] [Defendant] \_\_\_\_\_ in the above-  
2 captioned matter, I respectfully ask the Court to extend by three (3) days the deadline for me to file  
3 motion-related opposition or reply papers, notwithstanding any contrary language in Civil Local Rule  
4 7-3.

5 I hereby declare that:

- 6 1. I am proceeding *pro se* pursuant to Civil L.R. 3-9.  
7 2. I have not registered to be an ECF user. Since I am not an ECF user, I send and receive  
8 copies of motions and oppositions by U.S. mail.  
9 3. If I become an ECF user, I agree to abide by all deadlines required of ECF users,  
10 including the deadlines set forth in Civil L.R. 7-3.  
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12 Respectfully submitted,  
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14 Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
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Your Name: \_\_\_\_\_

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Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Pro Se

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Division [check one]: ☐ San Francisco ☐ Oakland ☐ San Jose ☐ Eureka-McKinleyville

_____	)	Case Number: _____
_____	)	
Plaintiff,	)	<b>[PROPOSED] ORDER GRANTING MOTION</b>
	)	<b>FOR EXTENSION OF CIVIL LOCAL RULE</b>
v.	)	<b>7-3 FILING DEADLINES FOR NON-ECF</b>
	)	<b>USER</b>
_____	)	
_____	)	
_____	)	
_____	)	
Defendant.	)	
_____	)	

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Good cause appearing, the request of [Plaintiff] [Defendant]

\_\_\_\_\_ is GRANTED. The Court orders the following:

Notwithstanding contrary language in Local Rule 7-3(a), (c), or (d)(1), if a party in this case is not a registered ECF user and was served by mail with a motion or an opposition to a motion, the deadline for filing the responsive papers shall be extended by three (3) days.

The Court further orders:

☐ This extension will not affect the hearing date.

☐ The moving party shall notice, or for any pending motions, re-notice, the hearing for a date consistent with the extension so that any reply brief must be filed at least fourteen days before the hearing.

IT IS SO ORDERED.

[Do not write below.]

Date: \_\_\_\_\_

UNITED STATES DISTRICT/MAGISTRATE JUDGE