

IN THE SUPREME COURT OF OHIO

MARIAN LESTER,	)	CASE NO. 2014-1914
	)	
Relator,	)	Original Action in Prohibition and
	)	Mandamus Arising From
vs.	)	Cuyahoga County Probate Court
	)	Case No. 2014 GRD 199316
JUDGE LAURA J. GALLAGHER,	)	
	)	
Respondent.	)	

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**RESPONDENT'S MOTION FOR A TWO (2) DAY EXTENSION OF TIME TO  
RESPOND TO RELATOR'S COMPLAINT**

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*Counsel for Respondent  
Judge Laura J. Gallagher*

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JUDGE LAURA J. GALLAGHER,	)	
	)	<b><u>RESPONDENT’S MOTION FOR A</u></b>
Respondent.	)	<b><u>TWO (2) DAY EXTENSION OF TIME</u></b>
	)	<b><u>TO RESPOND TO RELATOR’S</u></b>
	)	<b><u>COMPLAINT</u></b>

Pursuant to S.Ct.Prac.R. 3.03(B)(2)(b)(i), Respondent Judge Laura J. Gallagher respectfully requests a two (2) day extension of time, up to and including December 5, 2014, within which to respond to relator’s “Emergency Complaint for Writ of Prohibition, Seeking a Final and Alternative Writ or, in the Alternative, Emergency Complaint for Writ of Mandamus, Seeking a Final and Alternative Writ” (hereafter “Complaint”). The grounds in support of this request are as follows.

This is an original action under Section 12 of the Rules of Practice for the Supreme Court of Ohio. Pursuant to S.Ct.Prac.R. 12.04(A) and this Court’s order issued November 26, 2014, an answer to the Complaint or a motion to dismiss the Complaint on behalf of the respondent is currently due on December 3, 2014.<sup>1</sup> In order to complete the preparation of an appropriate

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<sup>1</sup> Pursuant to this Court’s order issued on November 26, 2014, a response to the relator’s November 24, 2014 “Emergency Motion to Stay Proceedings in the Cuyahoga County Probate Court and to Vacate Judgment Entry” is likewise due on December 3, 2014. The instant motion for a two (2) day extension of time concerns only to the respondent’s response to the Complaint. It does not seek any extension of time to respond to the relator’s November 24, 2014 motion. Respondent is separately filing her response to that motion in accordance with this Court’s November 26, 2014 order.

response to the Complaint, the undersigned counsel requests a very short extension beyond the current due date of December 3, 2014.

Under S.Ct.Prac.R. 3.03(B)(2)(b), a party may request an extension of up to ten (10) days to file a response to a complaint. In this case, the respondent requests only a two (2) day extension of time. The Court's November 26, 2014 order did not indicate that requests for an extension of time would not be accepted.

This is the respondent's first and only request for an extension of time. This request is not made for purposes of delay. No party should be prejudiced by granting this request for an extension of time.

Respondent Judge Laura J. Gallagher accordingly requests a two (2) day extension of time, up to and including December 5, 2014, within which to file an answer or motion to dismiss in response to the Complaint.

Respectfully submitted,

TIMOTHY J. MCGINTY, Prosecuting Attorney  
of Cuyahoga County, Ohio

By: /s Charles E. Hannan  
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*Counsel for Respondent*  
*Judge Laura J. Gallagher*

**PROOF OF SERVICE**

Pursuant to S.Ct.Prac.R. 3.11, a true copy of the foregoing Respondent's Motion for a Two (2) Day Extension of Time to Respond to Relator's Complaint was served this 3<sup>rd</sup> day of December 2014 by e-mail upon:

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/s Charles E. Hannan

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