

4-17-0395

**IN THE ILLINOIS APPELLATE COURT OF ILLINOIS
FOURTH DISTRICT**

JOSHUA D. MEYERS,

Plaintiff–Appellant,

v.

LEO P. SCHMITZ , Director of the
Illinois State Police,

Defendant– Appellee

Appeal from Sangamon County
Circuit Number: 15–MR–1066

Trial Judge: Rudolph Braud

**OBJECTION TO MOTION FOR EXTENSION OF TIME
TO FILE BRIEF OF DEFENDANT-APPELLEE**

Now comes Joshua D. Meyers, Plaintiff-Appellant, by Carl R. Draper, one of his attorneys, and hereby objects to the Motion For Extension Of Time To File Brief of Defendant- Appellee, and in support thereof, states the following:

1. Defendant-Appellee has been granted four previous extensions of time and pursuant to the last order of this court is required to file his brief on or before March 29, 2018.
2. In the verified statement in support of the last extension of time, Defendant-Appellee noted that his brief was nearly complete on February 14, 2018 and stated that the brief required only a review by supervisors.
3. The undersigned counsel has personally conferred with defendant’s counsel each time that every party requested an extension of time. The undersigned counsel

concluded in three of the motions but did not give concurrence for the last extension requested in February, 2018. In those telephone conversations, defendant's counsel represented that the brief was complete and simply required review by supervisors.

4. In each of the phone conferences concerning extensions, the undersigned counsel requested that the motion note that it would be the final extension request. Although Defendant's counsel could not make such a promise, she represented that none would likely be needed after February because the brief was written and only required some review.
5. It is obvious from the motions filed by the Defendant-Appellee that the brief has been substantially complete since February 14, 2018 and the present motion does not give good cause for further delay.
6. The undersigned counsel and Plaintiff-Appellant have been cooperative but this appeal involves a claim by Plaintiff-Appellant that his concealed carry license was wrongfully terminated and his right to apply wrongfully denied. These delays are prejudicial to his right to obtain this courts review of the statutes, promulgated rules and procedures at issue.
7. There is no just cause to further delay the filing of the brief beyond a reasonable time to file the draft that has already been prepared.

FOR THESE REASONS, Plaintiff-Appellant respectfully prays that the Motion for Extension of Time be denied, or that any extension be granted only until April 6, 2018 or for such other relief as maybe just.

Joshua Meyers, Appellant,

By: /S/ Carl R. Draper
Carl R. Draper
ARDC #3128847
Attorney for Plaintiff – Appellant
FELDMANWASSER
1307 South Seventh Street
Springfield, IL 62703
(217) 544-3403
cdraper@feldman-wasser.com

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in the attached Objection are true and correct, except as to matters therein stated to be on information and belief and as to such matters as the undersigned certifies as aforesaid that he/she verily believes the same to be true.

DATED: March 20, 2018

 /S/ Carl R. Draper

CERTIFICATE OF SERVICE

The undersigned of FeldmanWasser hereby certifies that a copy of the foregoing document was served in accordance with Supreme Court Rule 11 by delivery to the e-mail address for each party shown below on March 20, 2018:

mlabrec@atg.state.il.us

civilappeals@atg.state.il.us

A courtesy copy was also served upon each of the addressees hereinafter set forth by enclosing the same in an envelope plainly addressed to each of the said addresses, with postage fully prepaid, and depositing same in a U.S. Mail Box in Springfield, Illinois:

Mary C. LaBrec
Assistant Attorney General
Office of the Attorney General
100 W. Randolph Street, 11th Floor
Chicago, IL 60601

and that the original was filed with the Clerk of the Court in which said cause is pending.

/S/ Carl R. Draper

Carl R. Draper