

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                           |   |                       |
|---------------------------|---|-----------------------|
| EMILIO M. LLANES, et al., | ) | 4:06CV3155            |
|                           | ) |                       |
| Plaintiffs,               | ) |                       |
|                           | ) |                       |
| v.                        | ) | <b>MEMORANDUM AND</b> |
|                           | ) | <b>ORDER</b>          |
| UNKNOWN BARTON, Trooper   | ) |                       |
| (Badge No. 38),           | ) |                       |
|                           | ) |                       |
| Defendant.                | ) |                       |

This matter is before the court on Plaintiffs’ Motion to Enlarge Time. (Filing No. 70.) In their Motion, Plaintiffs ask the court to extend the dates in the court’s progression order. (Filing No. 68.) Plaintiffs do not specify which date they would like extended; rather, they ask the court “for an order extending the time and dateline in which Plaintiffs may comply with the Court progression of the case[.]” Plaintiffs state that good cause exists for granting the extension of time because Plaintiffs do not have an attorney available to assist with the discovery process or the preparation for the pretrial conference.

Pro se parties are required to comply with the Federal Rules of Procedure and the court’s orders. *See, e.g., Lindstedt v. City of Granby*, 238 F.3d 933, 937 (8th Cir. 2000) (concluding that “[a] pro se litigant is bound by the litigation rules as is a lawyer, particularly here with the fulfilling of simple requirements of discovery”) (footnote omitted); *Ackra Direct Mktg. v. Fingerhut Corp.*, 86 F.3d 852, 856 (8th Cir. 1996) (stating “[i]n general, pro se representation does not excuse a party from complying with a court’s orders and with the Federal Rules of Civil Procedure”) (citations omitted).

Plaintiffs do not state in their Motion that they are in the process of hiring an attorney to assist with the preparation of their case, or that the reason they give for

requesting an extension of time will be resolved at some point in the future. Proceeding pro se does not excuse Plaintiffs from engaging in the discovery process or preparing for court proceedings. Therefore, Plaintiffs' Motion is denied.<sup>1</sup>

Plaintiffs' Motion also asks the court to extend the time in the Defendant's notice of deposition. This is not a deadline set by the court, therefore, the court cannot extend this deadline. Plaintiffs must make arrangements with the Defendant to reschedule their depositions. However, as stated earlier, the fact that Plaintiffs are proceeding pro se will not excuse Plaintiffs from complying with the court rules governing discovery.

IT IS THEREFORE ORDERED that Plaintiffs' Motion to Enlarge Time (filing no. 70) is denied.

February 12, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge

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<sup>1</sup>If Plaintiffs need an extension of a specific court deadline, Plaintiffs may reassert their Motion to Enlarge Time specifying which deadline they wish to extend and for how long.