

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-5235
(C.A. No. 04-814)

ACCURACY IN MEDIA,

Appellant,

v.

CENTRAL INTELLIGENCE AGENCY,

Appellee.

**APPELLEE’S UNOPPOSED MOTION TO EXTEND TIME
TO FILE A REPLY**

Pursuant to Circuit Rule 27, Appellee Central Intelligence Agency (the “Agency”), respectfully moves to enlarge the deadline for filing its reply to Accuracy in Media’s opposition to the motion for summary affirmance. Pursuant to the Circuit Rules, a reply is currently due by July 27, 2023. The Agency hereby requests that the Court extend the deadline within which to file its reply until August 18, 2023. Accuracy in Media’s counsel, John C. Clarke, has been consulted regarding the relief requested in this motion, and he kindly assented.

This appeal is from the District Court’s resolution of this Freedom of Information Act case in which the requester challenged the adequacy of the Central Intelligence Agency’s search of its operational records. Appellee respectfully requests an extension because counsel who is handling this appeal is handling an exceptionally large and demanding caseload. In addition to discovery and other

litigation duties, undersigned counsel this month has been required to research and prepare several dispositive and other motions in the District Court. Further, the reviewer responsible for Appellee's reply will be on annual leave from July 28, 2023 through August 8, 2023. As a result, undersigned counsel requests that the Agency be granted additional time to review the opposition to the motion for summary affirmance and to prepare a reply and have it reviewed internally as required by Department of Justice procedures.

The Court should benefit from granting this extension because the Agency's reply will better address the issues requiring resolution. Agency counsel also needs a reasonable amount of additional time to review the draft reply before it is filed. This motion is being filed in good faith and not for purposes of undue delay. No party will be materially prejudiced by the extension requested.

* * *

For all these reasons, the Appellee respectfully requests that the Court grant this motion and enlarge until August 18, 2023 the deadline for the Agency to file its reply.

Dated: July 21, 2023.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21st day of July 2023, the foregoing motion was served by filing it using the Court's Electronic Case Filing System.

/s/ Thomas W. Duffey

THOMAS W. DUFFEY

Assistant United States Attorney

CERTIFICATE OF COMPLIANCE

The text for this motion is prepared using 14-point Times New Roman typeface. The text of this motion consists of 479 words, as calculated by counsel's word processor.

/s/ Thomas W. Duffey

THOMAS W. DUFFEY

Assistant United States Attorney