

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 17-cv-00884-STV

CHAYCE AARON ANDERSON,

Plaintiff,

v.

CARA BOXBERGER (In their (sic) Individual Capacity only),  
JASON SHUTTERS (In their (sic) Individual Capacity only),  
MARK DELANO (In their (sic) Individual Capacity only).

Defendants.

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**DEFENDANT JASON SHUTTERS' MOTION FOR EXTENSION OF TIME  
TO FILE A RESPONSE TO PLAINTIFF'S AMENDED COMPLAINT (ECF No.9)**

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Defendant, Jason Shutters, through his Attorneys, Hall & Evans, LLC, submit the following as his First Motion for Extension of Time to Submit a Response to Plaintiff's Complaint (ECF No.9):

**D.C.Colo.LCivR 7.1(b)(1) Duty To Confer**

Based on information and belief, pro se Plaintiff is currently an incarcerated prisoner. Pursuant to D.C.Colo.LCivR 7.1(b)(1), there is no duty to confer with an unrepresented prisoner.

**D.C. Colo.LCivR 6.1(b)**

Pursuant to D.C.Colo.LCivR 6.1(b), this is the first request for extension of time by Defendant Shutters. A copy of this Motion has been served on the moving attorney's client. Defendant Shutters seeks an extension of the deadline to file a response to Plaintiff's Complaint (ECF No.9), to **September 13, 2017**.

1. According to the allegations of Plaintiff's Complaint (ECF No.9), this matter appears to arise from his arrest and conviction on charges involving sexual assault (see generally ECF No. 9)<sup>1</sup>.

2. Pursuant to the applicable Rules, Defendant Shutters' response to the Amended Complaint is due on or about August 30, 2017.

3. The Amended Complaint (ECF No. 9) is forty-one pages in length. It presents a combination of claims and allegations, which are difficult to discern but appear to be based on the following: 42 U.S.C. §1983, violation of the Fourth, Sixth and Fourteenth Amendments to the United States Constitution, malicious prosecution, defamation and slander, intentional infliction of emotional distress, violation of the Equal Protection Clause, violation of the "Federal Juvenile Delinquency Act and Constitutional Right to Confidentiality", "violation of the Right of Exculpatory Evidence", "Withheld, Concealed, or Destroyed Exculpatory Evidence", "Constitutional Right to be Free from Unconstitutional and Malicious Plea Bargains" and, "Subornation (sic) of Perjury". It is unclear which claims apply to this Defendant.

4. In order to have sufficient time to decipher Plaintiff's Amended Complaint, and prepare a proper response, Defendant Shutters requests an extension of the August 30, 2017 deadline, to **September 13, 2017**.

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<sup>1</sup> The Amended Complaint is written in such a manner so as to make identification of Plaintiff's purported claims and allegations very difficult to decipher. As of the writing of this Motion, Defendant Shutters is unsure as to what claims are actually levied against him within the 42-page missive.

WHEREFORE, Defendant Jason Shutters respectfully request the Court grant his Motion, and extend the time for filing of a response to Plaintiff's Amended Complaint to September 13, 2017.

Dated: August 28, 2017

Respectfully Submitted

Duly Signed original in the file located at  
Hall & Evans, LLC

*/s/ Mark S. Ratner*

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Mark S. Ratner, #38517

Hall & Evans, LLC

1001 Seventeenth Street, Suite 300

Denver, Colorado 80202-

**Attorneys for Defendant Jason  
Shutters**

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on this 28th day of August 2017, I served via email the foregoing **DEFENDANT JASON SHUTTER'S FIRST MOTION FOR EXTENSION OF TIME TO SUBMIT A RESPONSE TO PLAINTIFF'S COMPLAINT (ECF No.9)** to the following:

**Plaintiff:**

Chayce Aaron Anderson  
Arkansas Valley Correctional Facility  
12790 Hwy. 96  
Ordway, CO. 81034

**Jason Shutters**

c/o City of Fort Collins City Attorney's Office  
300 Laporte Avenue  
Fort Collins, CO 80521

*s/ Rochelle Gurule*

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Legal Assistant to Mark S. Ratner, Esq.  
Of Hall & Evans, LLC