

No. 23-16031

IN THE UNITED STATES COURT OF APPEAL
FOR THE NINTH CIRCUIT

AURORA REGINO,

Plaintiff–Appellant,

v.

KELLY STALEY,

Defendant–Appellee,

and

CAITLIN DALBY; REBECCA KONKIN; TOM LANDO; EILEEN ROBINSON:
MATT TENNIS

Defendants.

On Appeal from the United States District Court
for the Eastern District of California
No. 2:23-cv-00032-JAM-DMC
Hon. John A. Mendez

**DEFENDANT-APPELLEE KELLY STALEY’S UNOPPOSED MOTION
TO APPEAR REMOTELY FOR ORAL ARGUMENT**

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Attorneys for Defendant–Appellee
KELLY STALEY

Defendant-Appellee KELLY STALEY (“Superintendent Staley”) respectfully requests permission for her legal counsel, Jimmie E. Johnson of Leone, Alberts & Duus, to appear and argue remotely via video in the above-captioned matter. This appeal is currently scheduled for argument on Thursday, May 9, 2024, at 9:30 a.m., Pacific Daylight Time, in Pasadena, California.

Good cause exists to grant this motion because appearing in-person would pose a hardship for Mr. Johnson, who lives in Davis, California, and is a single father with part-time custody of his two children, ages 9 and 12. Were this Court to require Mr. Johnson to argue in-person, in Pasadena, California, he would need to leave Davis, California, at the latest, on Wednesday, May 8th, when he is scheduled to have custody of his two children. Mr. Johnson has no family in the area, and finding first-time baby-sitting services with a person the children have never met, would impose a hardship on Mr. Johnson and his family.

Superintendent Staley has conferred with Plaintiff–Appellant AURORA REGINO, who does not oppose this request.

For these reasons, Superintendent Staley respectfully requests that the Court grant the motion and allow her counsel to appear and argue remotely via video.

DATED: March 4, 2024

/s/ Jimmie E. Johnson
JIMMIE E. JOHNSON
Attorneys for Defendant-Appellee
KELLY STALEY

CERTIFICATE OF COMPLIANCE

I hereby certify that this motion complies with the type-volume limitations of FED. R. APP. P. 27(d)(2)(A) and Circuit Rule 27-1 because this motion contains 331 words, excluding the parts of the motion exempted by FED. R. APP. P. 32(f).

This motion complies with the typeface requirements of FED. R. APP. P. 32(a)(5) and the typestyle requirements of FED. R. APP. P. 32(a)(6) because this motion has been prepared in a proportionately spaced typeface using Microsoft Word in 14-point Times New Roman font

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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9th Cir. Case Number(s)

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DEFENDANT-APPELLEE KELLY STALEY'S UNOPPOSED MOTION TO APPEAR REMOTELY FOR ORAL ARGUMENT

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