

01/18/2019	<input type="checkbox"/> 36 9 pg, 693.7 KB	MOTION, for judicial notice, on behalf of Appellant Tomo Shibata, FILED. Service date 01/18/2019 by CM/ECF. [2477850] [18-3405] [Entered: 01/18/2019 06:22 AM]
01/25/2019	<input type="checkbox"/> 40 1 pg, 36.73 KB	STRIKE ORDER, striking Appellant Tomo Shibata Scheduling Notification [26] from the docket, FILED. [2482801] [18-3405] [Entered: 01/25/2019 04:28 PM]
01/31/2019	<input type="checkbox"/> 43 1 pg, 49.5 KB	MOTION ORDER, denying motion for judicial notice [36] filed by Appellant Tomo Shibata, by DAL, FILED. [2486141][43] [18-3405] [Entered: 01/31/2019 09:27 AM]
03/05/2019	<input type="checkbox"/> 44	Plaintiff-Counter-Defendant-Appellant Yayoi Shibata, TERMINATED.[2510933] [18-3405]--[Edited 03/05/2019 by ST] [Entered: 03/05/2019 04:52 PM]
03/06/2019	<input type="checkbox"/> 45 1 pg, 9.32 KB	CAPTION, terminating Appellant Yayoi Shibata, AMENDED.[2511346] [18-3405] [Entered: 03/06/2019 10:43 AM]
03/07/2019	<input type="checkbox"/> 48 1 pg, 9.12 KB	NEW CASE MANAGER, Jason Wang, copy to pro se appellant, ASSIGNED.[2512206] [18-3405] [Entered: 03/07/2019 09:12 AM]
03/07/2019	<input type="checkbox"/> 49 69 pg, 9.2 MB	MOTION, to extend time, on behalf of Appellant Tomo Shibata, FILED. Service date 03/07/2019 by CM/ECF. [2512215] [18-3405] [Entered: 03/07/2019 09:14 AM]
03/07/2019	<input type="checkbox"/> 52 1 pg, 71.51 KB	MOTION ORDER, granting motion to extend time [49] filed by Appellant Tomo Shibata, FILED. [2512737][52] [18-3405] [Entered: 03/07/2019 01:35 PM]
04/10/2019	<input type="checkbox"/> 54 123 pg, 34.29 MB	MOTION, to hold appeal in abeyance, on behalf of Appellant Tomo Shibata, FILED. Service date 04/10/2019 by CM/ECF. [2536351] [18-3405] [Entered: 04/10/2019 02:59 AM]
04/16/2019	<input type="checkbox"/> 58 1 pg, 45.46 KB	MOTION ORDER, denying motion to hold the appeal and briefing schedule in abeyance and granting extension of time to file the brief[54] filed by Appellant Tomo Shibata, by RKW, copy to pro se appellant, FILED. [2541503][58] [18-3405] [Entered: 04/16/2019 03:49 PM]
07/17/2019	<input type="checkbox"/> 62 1 pg, 9.11 KB	NEW CASE MANAGER, Margaret Lain, ASSIGNED.[2610627] [18-3405] [Entered: 07/17/2019 11:43 AM]
07/17/2019	<input type="checkbox"/> 63	ORDER, [58] appeal dismissed for Appellant Tomo Shibata failure to file brief and appendix, EFFECTIVE. [2610644] [18-3405] [Entered: 07/17/2019 11:54 AM]
07/31/2019	<input type="checkbox"/> 65 1 pg, 537.72 KB	CERTIFIED COPY OF ORDER, dated 04/16/2019, determining the appeal to NDNY, ISSUED.[Mandate] [2620951] [18-3405] [Entered: 07/31/2019 09:42 AM]

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 16th day of April, two thousand and nineteen.

Before: Ralph K. Winter,
 Circuit Judge.

Tomo Shibata,

Plaintiff-Counter-Defendant-Appellant,

v.

Roger A. Swingle, RAS Enterprises,

Defendants-Counter-Claimants-Appellees.

ORDER

Docket No. 18-3405

Appellant, pro se, moves the Court to hold this appeal and the briefing schedule in abeyance.

The court denies the motion to hold the appeal in abeyance. However, the court will grant a substantial extension of time to Appellant for briefing. Appellant's principal brief will be due no later than July 16, 2019. The court understands the difficulties faced by pro se appellants. However, the three-month extension will be granted but Appellant must understand that this appeal cannot remain pending indefinitely. Therefore, no further extensions will be granted. The appeal is dismissed July 16, 2019 unless a brief is filed by that date. A motion for reconsideration or other relief will not stay the effectiveness of this order. See RLI Ins. Co. v. JDJ Marine, Inc., 716 F.3d 41, 43-45 (2d Cir. 2013).

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court


