

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MADELINE MENDOZA,)
)
)
Plaintiff,)
)
)
vs.) Case No.: 2023 CV 02441
)
)
CITY OF CHICAGO, REYNALDO)
GUEVARA, GERI LYNN YANOW, as)
Special Representative for ERNEST)
HALVORSEN, STEPHEN GAWRYS, and)
ANTHONY RICCIO,)
)
Defendants.)

**DEFENDANTS' UNOPPOSED MOTION FOR
EXTENSTION OF TIME TO ANSWER OR OTHERWISE PLEAD**

NOW COME Defendants, THE CITY OF CHICAGO, REYNALDO GUEVARA, GERI LYNN YANOW as Special Representative for ERNEST HALVORSEN, STEPHEN GAWRYS, and ANTHONY RICCIO, by and through their respective undersigned counsel, and hereby submit this Unopposed Motion for Extension of Time to Answer or Otherwise Plead. In support thereof, Defendants state as follows:

1. This case arises from Jimmy Cruz and Hector Reyes' murder on May 12, 1992, and Plaintiff's subsequent arrest and prosecution for the crime. *See* Dckt. No. 1. On September 22, 1993, Plaintiff pled guilty to Jimmy Cruz's murder and was sentenced to 35 years for murder and 7 years for conspiracy to commit murder. *Id.*
2. Plaintiff's co-defendant, Marilyn Mulero, was also charged and pled guilty to Jimmy Cruz's murder. *See Mulero v. Guevara, et al.*, No. 23 CV 04795, Dckt. No. 1.
3. Now, both Plaintiff and Marilyn Mulero assert they were innocent of the crimes for which they were charged and allege Defendants coerced them into confessing to Jimmy Cruz's

murder. *See Mendoza v. Guevara*, Dckt. No. 1; *Mulero v. Guevara*, Dckt. No. 1.

4. Plaintiff's counsel in the present case, Ms. Mulero's counsel, and defense counsel in both matters are scheduled to discuss consolidating both matters on August 23, 2023.
5. However, Defendants' responsive pleading to Plaintiff's Amended Complaint is presently due on August 25, 2023. By agreement of the parties, Defendants seek an additional 30 days to file their responsive pleading, up to and including September 25, 2023. Defendants' responsive pleading in the *Mulero* matter will also be due on that date.
6. This request is not intended to cause undue delay or harm. Indeed, Defendants seek this extension to afford the parties' opportunity to discuss consolidating these matters to ensure the parties are efficiently litigating these two matters.

WHEREFORE, Defendants, THE CITY OF CHICAGO, REYNALDO GUEVARA, JOANN HALVORSEN as Special Representative for ERNEST HALVORSEN, STEPHEN GAWRYS, and ANTHONY RICCIO, respectfully request this Honorable Court grant Defendants' Unopposed Motion for Extension of Time to Answer or Otherwise Plead and extend Defendants' deadline to file a responsive pleading to September 25, 2023, and for all other relief deemed equitable and just.

Dated: August 23, 2023

/s/ Maurice C. Hunt
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Respectfully Submitted,

/s/Eileen E. Rosen
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