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Before the
Federal Communications Commission
Washington, D.C. 20554

JUL 27 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re)	
)	
JERRY SZOKA)	CIB Docket No. 98-48
Cleveland, Ohio)	
)	
Order to Show Cause Why a)	
Cease and Desist Order Should Not Issue)	

To: Joseph Chachkin
Chief Administrative Law Judge

**COMPLIANCE AND INFORMATION BUREAU'S REPLY TO JERRY SZOKA'S
SECOND MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE
OPPOSITION TO MOTION FOR SUMMARY DECISION**

1. On July 24, 1998, Jerry Szoka ("Szoka") filed a Motion for a Brief Extension of Time to File Opposition to CIB's Motion for Summary Decision. This is the second request for an extension of time to respond to the Compliance and Information Bureau's ("Bureau") motion for summary decision. The Bureau has reviewed Szoka's second motion and objects to an allowance of additional time within which to respond to the Bureau's motion for summary decision, just as we objected to the first.

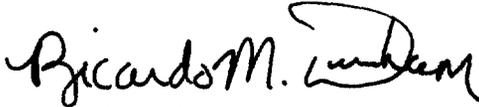
2. In Szoka's first request for an extension of time, filed on June 19, 1998, by the Center for Individual Rights ("CIR"), the Bureau was informed that additional time was being requested because Jim Moody, who on the same day agreed to serve as co-counsel with the CIR, could not "devote attention to this case until July 5, 1998." It is now at least three weeks past July 5, and Szoka's motion does not reveal, what, if any, progress has been made on the reply to the motion for summary decision. The motion only explains that Mr. Moody has an extremely busy schedule and would be out of town on the weekend of July 25.

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3. The fact remains, that the core issue involved in this proceeding is whether Szoka violated Section 301 of the Act, § 47 U.S.C. 301, by transmitting radio energy without the appropriate authorization. In light of the fact that Szoka has admitted operating "The Grid" radio station without the appropriate authorization from the Federal Communications Commission (See Compliance and Information Bureau's Request for Admission of Facts and Genuineness of Documents, filed May 11, 1998, admission numbers 2 and 5), the Bureau still does not believe additional time is necessary to resolve the issues involved at this stage of the proceeding.

4. Thus, the Bureau respectfully requests that Szoka's motion for a second extension of time be denied.

Respectfully submitted,
Richard Lee
Chief, Compliance and Information Bureau

for 
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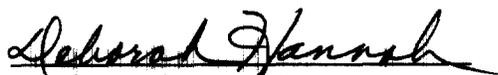
CERTIFICATE OF SERVICE

I, Deborah Hannah, certify that I have, on this 27th day of July, 1998, sent by regular United States mail, a copy of the foregoing, "Compliance and Information Bureau's Reply to Jerry Szoka's Second Motion for Extension of Time Within Which to File Opposition to Motion for Summary Decision" to:

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