



LUCCI SMITH LAW

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September 10, 2018

Clerk of the Supreme Court
US Supreme Court Building
One 1st Street NE, Room 30
Washington, DC 20543-0002

RE: Case Number: _____; *Bernard Morello v. State of Texas* on Petition for a Writ of Certiorari from the Texas Supreme Court Cause No. 03-15-00428-CV.

Dear Justice Alito,

Pursuant to Rules 30.2 – 30.4 of the Rules of the Supreme Court of the United States, I request an extension of time to file Bernard Morello’s Petition for Writ of Certiorari from the current deadline of September 20, 2018 until Wednesday, October 10, 2018.

Currently, the parties have not filed any other documents with the United States Supreme Court regarding the above referenced matter.

The ruling by the Texas Supreme Court obligates Mr. Morello to pay nearly \$500,000 in fines with post-judgment interest accruing daily. After a due and diligent search, Mr. Morello could neither afford to engage new counsel nor obtain *pro bono* representation to draft and file a Petition for Writ of Certiorari before the United States Supreme Court. After Mr. Morello expressed the fruitlessness of his efforts, I, over this past weekend, agreed that my firm would represent Mr. Morello in drafting and filing the Petition for Writ of Certiorari. While we intend to file the Petition as close to the current deadline as possible, we currently have multiple preexisting deadlines rendering our ability to file the Petition by the current deadline more than questionable.

On September 10, 2018, I contacted counsel for the State of Texas regarding this request for an extension of time, and I have not received a response.

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Thank you for the Court's professional courtesy, and we look forward to presenting the question of the applicability of the 8th Amendment to the States through the 14th Amendment of the United States Constitution.

Warmest regards,

/s/ Jacqueline Lucci Smith

Jacqueline Lucci Smith
Lucci Smith Law, PLLC

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