

**EXTENSION OF TIME REQUEST FOR
A PETITION FOR WRIT OF CERTIORARI**

No. _____

In The Supreme Court of The United States

Christine K. Cornelius

v.

Town of Atkinson, NH

**APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT**

To the Honorable Justice Stephen Breyer of the Court of the First Circuit,

Petitioner Christine K. Cornelius, requests an extension of 60 days to file her Writ of Certiorari. The final denial of the motion for reconsideration with the State of New Hampshire's Supreme Court was entered on June 20, 2018. The Petition for Writ of Certiorari will expire on September 18, 2018. As 10 days prior to that due date falls on a Saturday, this filing is due by Monday, September 10, 2018.

Attached are:

The State of N H Supreme Court order: Reconsideration is denied.

The State of N H Supreme Court: Petitioner's Motion for Reconsideration.

Rockingham County S.C. Order: 3/20/2018 confusion over ADA Title-II.

Rockingham County S.C.: Petitioner's Motion to Correct, Clarify and Educate.

Rockingham County S.C.: Petitioner's Motion for Federal ADA Title II laws be followed.

Rockingham County S.C.: Petitioner's Motion for Late Entry.

Rockingham County S.C.: Petitioner's Motion for Clarification of Court's Order.

Rockingham County S.C. Order: 12/18/2017.

This case began as a land-use issue. Two businesses abutting the Petitioner's residential property do not have the year-round sound and visual barriers required by the town's ordinances to preserve her property value, privacy, safety and quality of life.

Unable to resolve matters in town, the Petitioner filed this case in Superior Court--prose due to financial constraints.

The Petitioner suffers from bipolar 2 disorder. Stress exacerbates cognitive impairments (brain fog, comprehension, processing speed and memory issues); and physical harm (migraines, tremors and chest pain).

In advance of the 6/5/2017 hearing the Petitioner filed a motion and was allowed a disability accommodation in place of oral argument. She prepared binders with her argument along with all the proof (photos, minutes and diagrams); most of which were included in the (not quite complete) certified record provided by opposing counsel.

Once in the courtroom, without explanation, the judge disallowed the meticulously prepared binders. This was tantamount to knocking the crutches out from under a person who is struggling to walk. Discrimination cases such as this are supposed to be heard in courts, not created in them.

Opposing counsel objected to the Petitioner referencing files that he was supposed to, but failed to have included in the complete record.

At a second hearing, on 10/13/2017, fully aware that the binders were a disability accommodation, another judge denied their use. His order dated 12/18/2017 ruled against the Petitioner because, in his words. "the Plaintiff's arguments did not squarely address this issue." That issue, a 1994 contract broken by the town, was squarely addressed on pages 5-6 of the binders he rejected. His order proved the Petitioner's need for her disability accommodation to assist in communicating, and his own violation of ADA Title II.

At any rate, unable to comprehend the order, no less respond to it between 12/18 and 12/28 the Petitioner filed a Motion for Late Entry (citing her disability), and filed a Motion for Clarification regarding the issues with the order. In the meantime on 12/22/2018 the Petitioner received a letter from the town's assessor that her property was devalued once again due to the lack of screening of the abutting businesses. All the evidence of this (photos and files) had been entered. This was absolute proof of the damages that no one could deny..

Another attorney for the town, unaware of the fact there was a second hearing and binder and need for clarification, duped the judge into dismissing the ADA Title II accommodation request allowing for late entry.

The Petitioner then filed a Motion that Federal ADA Title II laws be followed; and a Motion to Correct, Clarify and Educate. Opposing counsel somehow confused the judge into thinking the ADA Title II violations that were being addressed were of the town, when they were in fact of the court. The final twisted order for those motions was on 3/20/2018.

Having exhausted all avenues of litigation in the lower court, the Petitioner filed a Motion for Extension of Time to File an Appeal with New Hampshire's Supreme Court. This was to give the town an opportunity to resolve the tree screening issues during the spring planting season-- rather than spend the money on further litigation.

New Hampshire's Supreme Court disregarded all the ADA Title II aspects of this case along with the additional Motions attempting to resolve matters in the lower court; and denied the Petitioner's Motion for Extension of Time to File an Appeal and then Request for Reconsideration stating: 'no points of law or fact were overlooked or misapprehended in the decision denying her motion....'

It appears some judges require specific 'case' law for guidance; not 'federal' law.

The Petitioner actually filed an unheard Petition For Writ Of Certiorari for a similar case regarding ADA Title II violations in the Massachusetts Courts and Commissions. She then took it back to the State's governor's office and soon after three new attorneys were hired to assist with matters of this kind. Accommodations for those with 'invisible' disabilities are as necessary as any.

The Petitioner respectfully requests an Extension Of Time To File a Petition For Writ Of Certiorari until November 19, 2018. This will give the town of Atkinson, New Hampshire the next two months of planting season to install the necessary year-round sound and visual barriers. Should they resolve matters I will withdraw this case. If not I will proceed.

Respectfully submitted,



Christine K. Cornelius, pro se
52 Island Pond Road
Atkinson, NH 03811
(603) 489-9071

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

Christine K. Cornelius
v.
Town of Atkinson, NH

CERTIFICATE OF SERVICE

I, Christine K. Cornelius, pro se hereby certify that on this 10th day of September 2018 a copy of the within application for an extension of time to file a petition for a *writ of certiorari* with the Supreme Court of the United States was forwarded via U.S. Mail, first class postage, prepaid, to counsels for the Defendant:

Sumner F. Kalman, Esq.
P.O.Box 988, 147 Main Street
Plaistow, New Hampshire 03865
(603) 382-4003

Dona Feeney, Esq.
58 Pleasant Street
Concord, NH 03301
(603) 225-5152

Signed under the pains and penalties of perjury.



Christine K. Cornelius, Pro-se
Petitioner
52 Island Pond Road
Atkinson, NH 03811
ckcornelius@gmail.com
(603) 489-9071

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2018-0214, Christine Cornelius v. Town of Atkinson, the court on May 15, 2018, issued the following order:

Rule 7(1) of the Supreme Court Rules requires that a notice of appeal be filed in this court within thirty days from the date on the clerk's written notice of the decision on the merits. A timely filed post-decision motion stays the running of the appeal period. An untimely filed post-decision motion does not stay the running of the appeal period unless the trial court waives the untimeliness within the appeal period. In the absence of an express waiver of the untimeliness made by the trial court within the appeal period, the appeal period is not extended even if the trial court rules on the merits of an untimely filed post-decision motion. Successive post-decision motions filed by a party that is not a newly losing party will not stay the running of the appeal period. See Rule 7(1)(C).

The clerk's written notice of the trial court's decision affirming the decision of the Town of Atkinson Zoning Board of Adjustment is dated December 19, 2017. In order to be timely, a post-decision motion needed to be filed in the trial court on or before December 29, 2017. Christine Cornelius's motion for clarification was filed in the trial court on or after January 17, 2018. On January 30, 2018, the trial court denied the motion for late entry of the motion for clarification and also denied the motion for clarification. It appears that Christine Cornelius then filed two more motions in the trial court, which were denied on March 23, 2018 (date of the clerk's notice).

Consequently, an appeal by Christine Cornelius should have been filed on or before January 18, 2018; her untimely and successive motions in the trial court following the December 19, 2017 decision did not stay the running of the appeal period. The motion for an extension of time to file a notice of appeal was filed in this court on April 23, 2018, and thus was untimely filed.

Accordingly, the motion for an extension of time to file a notice of appeal is denied. See Rule 21(6).

In light of the denial of the motion for an extension of time, the court waives the filing fee. Christine Cornelius's motion to waive the filing fee is therefore moot.

Motion for extension of time to
file appeal denied.

This order is entered by a single justice (Lynn, C.J.). See Rule 21(7).

**Eileen Fox,
Clerk**

Distribution:

Rockingham County Superior Court, 218-2017-CV-00259

Honorable David A. Anderson

Ms. Christine Cornelius

Sumner F. Kalman, Esq.

Dona Feeney, Esq.

File

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2018-0214, Christine Cornelius v. Town of Atkinson, the court on June 20, 2018, issued the following order:

Supreme Court Rule 22(2) provides that a party filing a motion for rehearing or reconsideration shall state with particularity the points of law or fact that she claims the court has overlooked or misapprehended.

We have reviewed the claims made in the plaintiff's motion for reconsideration and conclude that no points of law or fact were overlooked or misapprehended in the decision denying her motion for an extension of time to file an appeal. Accordingly, upon reconsideration, we affirm the May 15, 2018 decision and deny the relief requested in the motion.

Relief requested in motion for reconsideration denied.

Lynn, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, J.J., concurred.

**Eileen Fox,
Clerk**

Distribution:

Rockingham County Superior Court, 218-2017-CV-00259

Honorable David A. Anderson

✓Ms. Christine Cornelius

Sumner F. Kalman, Esq.

Dona Feeney, Esq.

Allison R. Cook, Supreme Court

File

**Additional material
from this filing is
available in the
Clerk's Office.**