

In the Supreme Court of the United States

I.F.,

*Petitioner*

v.

Lewisville Independent  
School District,

*Respondent*

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Case No. \_\_-\_\_\_\_

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**Application for Extension of Time to File  
Petition for Writ of Certiorari**

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To the Honorable Samuel A. Alito, Jr.:

Petitioner I.F. files this Application for Extension of Time to File a Petition for Writ of Certiorari and would respectfully show the following:

1. The United States Court of Appeals for the Fifth Circuit issued an opinion in this case on February 8, 2019, a copy of which is attached in accordance with Rule 13.5. This Court, therefore, has jurisdiction to issue a writ of certiorari under 28 U.S.C. 1254(1).

2. Under Rule 13.1, Petitioner's deadline to file a Petition for Writ of Certiorari is Thursday, May 9, 2019.

4. Although the undersigned counsel has made every effort to complete a Petition for Writ of Certiorari by the deadline established by the rules, he unexpectedly incurred several deadlines in the month of April arising from (a) adverse opinions issued that required motions for rehearing or petitions for review; (b) motions and mandamus proceedings that required immediate responses; and (c) trial settings requiring considerable preparation.

For example:

- April 8, 2019: Deadline to file Response to Petition for En Banc Rehearing in *Winzer v. Kaufman County*, which is pending in the United States Court of Appeals for the Fifth Circuit as Case No. 16-11482;
- April 15, 2019: Motion for En Banc Reconsideration due in *Babiy v. Kelley*, which is pending in this the Texas Court of Appeals, Fifth District in Case No. 05-17-01122-CV;
- April 16, 2019: Jury duty in the 134th Judicial District Court of Dallas County, Texas (was empaneled)
- April 19, 2019: Pretrial Order due in *Darden v. City of Fort Worth*, which is pending in the United States District Court for the Northern District of Texas as Civil Action No. 4:15-cv-221;
- April 24, 2019: Appellant's Brief due in *Darden v. City of Fort Worth*, which is pending in the United States Court of Appeals for the Fifth Circuit as Case No. 18-11624;

- April 29, 2019: Responses to additional motions to dismiss due in multiple civil-rights cases pending in the United States District Court for the Western District of Texas arising out of the mass arrest at a motorcycle rally at the Waco Twin Peaks restaurant in May 2015 (the undersigned counsel represents 10 plaintiffs in four cases, in Civil Action Nos. 1:17-cv-448; 1:17-cv-453; 1:17-cv-457; and 1:16-cv-648);
- May 1, 2019: Petition for Writ of Mandamus to be filed in the Supreme Court of Texas in *In re Ware*; and
- May 2, 2019: Motion to Remand due in *Van Horn v. Johnson & Johnson, Inc.*, which is pending in the United States Bankruptcy Court for the Western District of Oklahoma as Adversary Proceeding No. 19-01038.

5. As a result of the delays imposed by the undersigned's obligations, has not yet had an opportunity to complete his research for the arguments that will be presented in the Petition.

6. Petitioner does not intend to file this Petition *in forma pauperis*, and therefore, he would have to incur significant "rush" printing charges if an extension is not granted.

7. As evidenced by the attached opinion, the issue that will be presented to this Court involves Title VII liability arising out of the sexual abuse of a minor, and Petitioner respectfully submits that her counsel should be afforded additional time to thoroughly and adequately present it to this Court.

8. Accordingly, Petitioner respectfully requests a 30-day extension of the deadline to file his Petition for Writ of Certiorari.

If granted, the Petition would be due on Monday, June 10, 2016.

Respectfully submitted,



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Counsel for Petitioner

### **Certificate of Service**

On May 3, 2019, I served a copy of this document on Respondent's counsel of record via US Mail in accordance Rule 29.3, as well as through e-service:

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