

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

JAMES P. TATTEN,  
*Petitioner,*

v.

CITY AND COUNTY OF DENVER, DEBRA JOHNSON, AND LSF9 MASTER  
PARTICIPATION TRUST,  
*Respondents.*

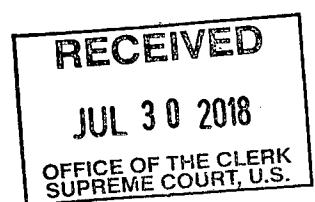
APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF  
CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE  
TENTH CIRCUIT

To the Honorable Sonia Sotomayor, Associate Justice of the United States Supreme  
Court and Circuit Justice for the Tenth Circuit

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*Pro se Petitioner*

July 25, 2018



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To the Honorable Sonia Sotomayor, Associate Justice of the Supreme Court of  
the United States and Circuit Justice for the Tenth Circuit:

Pursuant to 28. U.S.C. § 2101(c) and Rule 13.3 of this Court, Petitioner  
James P. Tatten prays for a 60-day extension of time to file his petition for  
certiorari in this Court to an including November 2, 2018.

The Tenth Circuit's order denying petitions for rehearing and rehearing *en  
banc* was entered on June 5, 2018, and the time to petition for certiorari in this  
Court expires September 3, 2018. This application is being filed more than 10 days  
before that date.

Copies of the order and judgment, petition for rehearing and rehearing en banc, and order below are attached hereto. The jurisdiction of this Court is invoked under 28. U.S.C. § 1254(1).

As shown by the opinion below, this case involves the Constitution of the United States, Rules Enabling Act, *Rooker-Feldman Doctrine*, Americans with Disabilities Act, Fair Debt Collection Practices Act, non-judicial foreclosure and the labeling and treatment of a *pro se*, cognitively-disabled litigant.

Moreover, the findings set forth in the opinion below present important questions of statutory interpretation and application that were determined adversely to petitioner by the court below.

In support of this application, Petitioner states the following good cause and specific reasons to justify an extension of time.

First, Petitioner Tatten is a *pro se*, cognitively-disabled litigant.

In November 2008, Petitioner was the victim of a violent assault that caused severe, traumatic-brain injury. Because of his traumatic-brain injury, Petitioner has physical and mental impairments that substantially limit one or more of the major life activities.

Throughout this case, the *pro se* Petitioner has requested the lower courts to acknowledge, properly consider, and accommodate his disability and cognitive limitations, including requests for the extension of time.

A copy of the Petitioner's lower-court motion, Second Motion for Extension of Time to File a Petition for Rehearing or Rehearing En Banc, is attached hereto.

The attached motion describes Petitioner's disability and limitations related to a number of essential cognitive or "executive" functions, including impairment of short-term memory and irregular ability to read, write, analyze, organize, schedule, and process information, varying from mild to severe.

Petitioner's cognitive disability limits his ability to engage in essential cognitive or "executive" activities without periods of rest and recovery.

Because he is a cognitively-disabled, *pro se* litigant, Petitioner needs more time to prepare and file his petition.

The current filing deadline of September 3, 2018 represents an extraordinary barrier and hardship and will prevent the Petitioner from properly filing a petition for writ of certiorari in this Court.

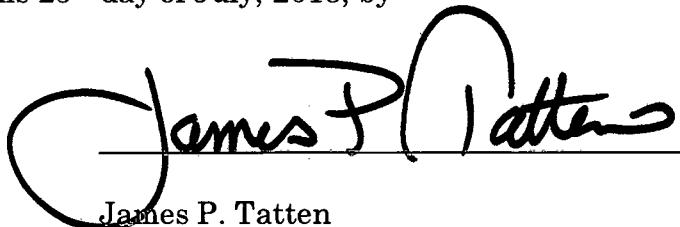
Second, on June 28, 2018, this Court granted the petition in No. 17-1307, *Obdusky v. McCarthy & Holthus LLP, et al.*

The question presented in *Obdusky v. McCarthy* may be material to the presentation of the question presented in Petitioner Tatten's writ of certiorari.

Because he is a cognitively-disabled, *pro se* litigant, Petitioner needs more time to read, analyze, and process the lower courts' findings, arguments, and analysis concerning *Obdusky v. McCarthy*.

For the reasons stated, Petitioner respectfully requests he be granted an extension of time and that an order be entered extending his time to petition for certiorari to and including November 2, 2018.

Respectfully submitted this 25<sup>th</sup> day of July, 2018, by



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