

SUPREME COURT OF THE UNITED STATES

SCOTT MAIONE and TASHA OSTLER,

Petitioners,

v.

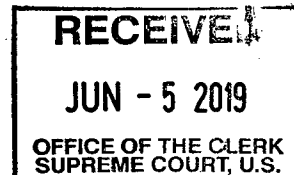
MEDICAL ANSWERING SERVICES,
LLC; DR. HOWARD A. ZUCKER, as
Commissioner of the New York State
Department of Health; SAMUEL D.
ROBERTS, as Commissioner of the New
York State Office of Temporary and
Disability Assistance; RUSS MAXWELL,
as President/Owner of MEDICAL
ANSWERING SERVICES, LLC, and
WAYNE FREEMAN, as Chief Operating
Officer of MEDICAL ANSWERING
SERVICES, LLC,

Respondents.

Case No.:

**APPLICATION FOR
EXTENSION OF SIXTY DAYS
TO FILE A PETITION FOR A
WRIT OF CERTIORARI TO THE
SECOND CIRCUIT COURT OF
APPEALS**

**Scott Maione and Tasha Ostler (Pro Se)
87 Shetland Drive
New City, New York 10956
845-512-8314**



Your Honors,

We are requesting a 60-day extension to file an application for a writ of certiorari before your Court.

The reasons are as follows:

Being Pro Se, we have limited means, including knowledge and experience, in forming a thorough, cogent argument in the same amount of time as experienced attorneys, particularly with a new petition, such as a writ of certiorari. Moreover, we are parents of three small children, two of whom suffer from disabilities and therefore, our time must be allocated accordingly, and this extension will provide more of a level playing field, in not having an attorney presently (though we are currently seeking one). Therefore, the additional 60 days will aid us in putting forth the best possible application before you, particularly in locating cases that contradict the appellate courts decision and hopefully, retaining an attorney.



Secondly, one of the main reasons the Appellate Court dismissed our case, and upheld Judge Furman's decision from the Southern District, was because it was believed that our issues essentially belong before the State Courts; however, since the decision from the Appellate Court, we have recently received a decision from the State administrative hearing level that specifically states that it is "beyond the authority of the Commissioner" (the New York State Commissioner of Health) to determine whether or not the issues at hand are lawful or not. One salient point of emphasis is that Judge Furman argued that medical transportation is not a federal right, when, in actuality, since the passing of the DRA in 2005, precedent cases have now upheld that it is.

Finally, we were never sent the Appellate Court Decision in fact and did not receive the decision by mail (and had no idea therefore) until we received the "Mandate" by the Court. At that point, we were unable to request reconsideration by the Appellate Court for the reasons stated above.

We therefore are Requesting the Appellate Court to re-open our case for reconsideration in light that the State specifically now says it cannot rule on the lawfulness of whether the State Medical Transportation Policy is lawful or not. If that is the case, and the Appellate Court held up Judge Furman's opinion, where can our children turn to then, to receive due process?

Such are the quandaries that require more time so we may put a compelling and convincing Petition for Writ before Your Honors assuming the Court of Appeals refuses our request to re-open our case. Thank You for Your Consideration.

Respectfully,

 6/3/19
 6/3/19

Scott Maione and Tasha Ostler

(parents of J, M, and S Maione)