

No. _____

IN THE

Supreme Court of the United States

Corine J. and Reginald A. Richardson

Petitioner

V.

Wells Fargo Bank, N.A.

Respondent

**APPLICATION FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI
TO THE FLORIDA THIRD DISTRICT COURT OF APPEAL**

TO THE HONORABLE CLARENCE THOMS, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE ELEVENTH CIRCUIT

Pursuant to Supreme Court Rule 13.5, Petitioners, Corrine J. and Reginald

Richardson respectfully requests a 60-day extension of time within which to file a petition for writ of certiorari to review the decision of the Florida Third District Court of Appeal dated April 1, 2019. in *Corrine J. and Reginald A. Richardson v. Wells Fargo Bank, N.A.*, Case No: 3D17-0271 (Exhibit A). Petitioners timely sought rehearing, rehearing en banc, and request for written opinion from the PCA issued without opinion which was denied on April 1, 2019. (See Exhibit A).

1. Because the Supreme Court of Florida lacks jurisdiction to hear per curiam affirmances where no written opinion has been issued, the denial of Petitioners' request for rehearing, rehearing en banc and request for written opinion issued by the Third District Court of Appeal April 1, 2019 constitutes the last statement from the highest court authorized to

review this issue. See, R.J. Reynolds Tabaco Co. v. Kenyon, 882 So.2d 986, 989-90 (Fla. 2004), holding “Therefore, the Third DCA was the state court of last resort from which Petitioner could seek review. See, e.g. Williams v. Florida, 330 U.S. 78, 79 n.5 (1970), holding that, (where the Florida Supreme Court was without jurisdiction to entertain an appeal, (“the District Court of Appeal became the highest court from which a decision could be had”); Florida Star v. B.J.F., 530 So.2d 286, 288 n.3 (Fla. 1988). See further, Hobbie v. Unemployment Appeals Commission of Florida, 107 S.Ct.1043 (1987) where this honorable Court held that, “Under Florida law, a *per curiam affirmance* issued without opinion cannot be appealed to the State Supreme Court.” See also, Fla. Rule App,Proc, 9.030(a)(2)(A)(i-iv). Accordingly, this Court’s jurisdiction is invoked under 28 U.S.C. § 1257.

2. Petitioners’ case presents substantial issues asserting a clear denial of both their procedural and substantive due process rights as protected by the 5th and 14th Amendments to the United States Constitution.
3. If the time is not extended, Petitioners’ petition is due July 1, 2019.
4. On May 17-20, 2019, lead counsel Reginald A. Richardson, who is also one of the petitioners in the instant case and who resides in Florida, travelled to Philadelphia to the Hospital of the University of Pennsylvania to receive advanced Platelet Rich Plasma (PRP) injections in both knees at the University’s Department of Orthopaedics Surgery and Sports Medicine, Musculoskeletal Center 8. (See Exhibit B). As result of receiving these injections Petitioner was advised to abstain from flexing his knees in a setting position for at least 7 days and was restricted from work until 5/27/19. (Exhibit C).

5. Unfortunately, Petitioner immediately returned to work in an effort to continue the work required to complete his writ of certiorari due in this court July 1, 2019. By immediately returning to work petitioner may have inadvertently adversely affected his recovery. Over the last two weeks Petitioner has suffered severe pain and swelling in both knees and is presently taking Tramadol 50mg every six hours (or as needed) as prescribed by his physician. which has prevented him from doing any work at his computer and can only sit with his legs propped up and extended outward. Counsel is a sole practitioner and cannot delegate the writing of the writ to another attorney. (Exhibit D).
6. Petitioner has consulted with his treating physician at the University of Pennsylvania and will return to Philadelphia within the next ten days to meet with his doctors regarding adverse condition of his knees.
7. Because of these conditions, Petitioner has been unable to maintain the work needed to complete his Writ in the allotted time and has also had to reschedule other responsibilities involving his practice.
8. Accordingly, Petitioner's counsel requires the additional requested time to fully recuperate and to prepare an appropriate petition for consideration by this Court. Respondent will not be prejudiced by the requested extension. For the foregoing reasons, Petitioner hereby requests that an extension of time, up to and including 60 days from the granting of the requested Order within which he may file a petition for writ of certiorari on behalf of Petitioners, Corrine J. and Reginald A. Richardson.

Respectfully submitted,

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