

No. _____

In the

SUPREME COURT OF THE UNITED STATES

WHITNEY N. BROACH, *Petitioner*

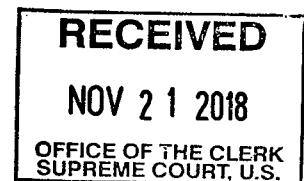
v.

DAVID G. PEAK, *Respondent*

ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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

WHITNEY N. BROACH
Pro Se Petitioner
P.O. Box 56143
Houston, Texas 77256
Tel. No. 281-435-1710



To the Honorable Justice Samuel Alito of the Court of the Fifth Circuit :

Petitioner, Whitney N. Broach, hereby respectfully applies for an **extension of time** within which to apply for a writ of certiorari in the above-entitled cause from December 4, 2018 , to and including Feb. 2, 2019. The judgment sought to be reviewed is that of the United States Court of Appeals for the Fifth Circuit, affirming the judgment of the District Court for the Southern District of Texas confirming several decisions from the bankruptcy court. The judgment of the Court of Appeals was entered on Sept. 5, 2018. The **time** within which a petition for a writ of certiorari may be filed expires on December 4, 2018. This application is being filed 10 or more days before the due date. The jurisdiction of this Court rests on 28 U.S.C. § 1254.

This case involves an application of Fed. R. Civ. P 60(b)(1) vs. Fed. R. Civ. P. 59, in a bankruptcy. The case involves the question of whether the Petitioner Debtor is responsible for the mistakes a court mandated Attorney Board Certified in Consumer Bankruptcy Law makes. The problem here is a unique and important one—whether the Petitioner Debtor is entitled to a rehearing under Fed. R. Civ. P. 60(b)(1), and whether Petitioner's Substantive due process, and Procedural due process of law rights were violated under the Fifth, and Fourteenth Constitutional Amendments.

This application for an **extension of time** is filed because Petitioner was in a major auto accident when a car driven by another party crashed into the rear of Petitioner's vehicle while she was stopped at a stop light on September 12, 2018, in Houston, Texas. Petitioner's home suffered extensive damage from Hurricane

Harvey, and Petitioner has lost valuable time dealing with this calamity which was an act of God. Petitioner has to devote ten days in December 2018 to critical matters to save the structure of her house that was damaged by Hurricane Harvey. Petitioner has enclosed a letter from her physician documenting the auto accident. Petitioner is pro-se and she ordered copies of the judgments in her case from the Court of Appeals Fifth Circuit, and has never received them. Petitioner relies on the use of the computers at the Harris County law library, and the law library is closing early before Thanksgiving, and will not open again until the week after Thanksgiving. For all the above reasons, Petitioner is asking for an extension. Counsel for the respondents was not available by telephone, but in the past he has not taken a stand on, or has had no objection to a requested **extension**. Moreover, such an **extension** will in no way prejudice the course of events in the District Court, and the bankruptcy court.

Petitioner respectfully requests an extension to file a Petition for Writ Of Certiorari to The United States Court of Appeals For The Fifth Circuit until Feb. 2, 2019. **THE LOWER COURT'S OPINIONS ARE NOT AVAILABLE AS PETITIONER REQUESTED THEM FROM THE FIFTH CIRCUIT, BUT HAS NOT RECEIVED THEM (Case No. 17-20229 Fifth Circuit Court of Appeals).**

Respectfully submitted,
Whitney N. Broach
Whitney N. Broach
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