
in the Supreme Court of the United States

NAPIER SANDFORD FULLER,

Petitioner,

v.

STATE OF NORTH CAROLINA,

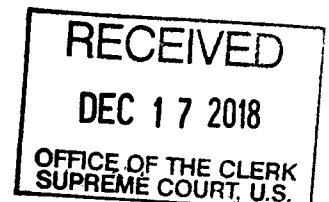
Respondent.

**APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI**

To the Honorable John G. Roberts, Jr.
Chief Justice of the United States Supreme Court
and Circuit Justice for the Fourth Circuit

NAPIER S. FULLER
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for Petitioner



**To the Honorable John G. Roberts, Jr.
Chief Justice of the United States Supreme Court
and Circuit Justice for the Fourth Circuit**

1. The self-represented Petitioner respectfully request an extension of time to file a petition for writ of certiorari pursuant to Rules of the Supreme Court of the United States, #13.5. The self-represented Petitioner is seeking review of the North Carolina Supreme Court's four administrative Orders of October 31st 2018 that were denied (see attached Exhibit A). Pursuant to Rules of the Supreme Court of the United States, #10(c) the current deadline for Petitioner to file a writ of certiorari is Tuesday, January 29, 2019, which is ninety days after the entry of the North Carolina Supreme Court Orders adverse to Petitioner. This application is timely because it has been filed more than ten days prior to the initial deadline for filing the writ.

LANDMARK CASE: DISABILITY RIGHTS PRO SE

2. This case arises from the North Carolina Supreme Court's affirming that the State of North Carolina is not required to comply with federally mandated disability law as it relates to *pro se* criminal defendants.
3. This case presents substantial and important questions of federal law that have never been raised in the United States: balancing "due process" for a self-represented criminal defendant that has chosen to represent himself yet requiring "reasonable accommodations" under ADA to minimize the symptoms of a neurobiological brain disorder with the rigid customs of North Carolina's criminal justice process and the traditions of the bar.
4. As an introduction to the issues that have arisen, here is a set of questions: Can a *pro se* criminal Defendant be denied ADA Title II accommodations for a mental disability in terms of court appearances merely because of his choice to be *pro se*? For example, can the State present an ultimatum: a Defendant with a language processing disorder requiring ADA accommodations must either (i) hire counsel

to represent him in criminal court proceedings, or (ii) proceed *pro se* without any accommodations because being *pro se* requires strict adherence to court customs. Finally, if a dispute arises as to the *pro se* litigant being denied ADA accommodations by a trial judge, what is the effective remedy?

JURISDICTION AND REASONS TO GRANT EXTENSION

5. The Supreme Court of the United States has jurisdiction under 28 U.S.C. § 1257.
6. Pursuant to Rules of the Supreme Court of the United States, #13.5 provides that “An application to extend the time to file shall set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified.”
7. The specific reasons why an extension of time is justified are as follows:
8. First, Petitioner’s mental disability¹ results in language processing problems²: i.e., a much slower rate of reading/writing. Petitioner has a history of receiving such “reasonable accommodations” under ADA by the State of North Carolina in secondary school and in higher education settings.
9. Second, Petitioner needs more time to review the case law and to seek assistance from pro bono legal aid groups and *amicus curiae*.
10. Third, the Petitioner has a February 3, 2019 deadline in a separate legal case requiring an appellant brief.
11. Finally, the Petitioner has pre-existing international travel planned (i.e., non-refundable tickets to the Middle East) for the weeks before and after the initial deadline of Tuesday, January 29, 2019.
12. For the foregoing reasons and good cause shown, Petitioner respectfully requests that this High Court grant this application for an extension of time to file a petition for writ of certiorari of 59 day additional days from January 29th 2019 up

1 See Exhibits B and C.

2 Petitioner has received no help whatsoever in preparing this pleading.

to and including Friday, March 29th 2019.

13. The Respondent, the State of North Carolina, neither supports nor opposes this request for an extension of time (see Exhibit D).
14. Respectfully submitted with humility this 11th day of December 2018.

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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December 2018, I served a copy of the foregoing pleading by e-mail and first-class mail on the following:

Mary Carla Babb
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Napier S Fuller