

No. 19-A-____
IN THE
SUPREME COURT OF UNITED STATES

ALFRED LAM and PAULA LEIATO,

Petitioners-Plaintiffs,

V.

CITY & COUNTY OF SAN FRANCISCO;

SAN FRANCISCO JUVENILE PROBATION DEPARTMENT;

Respondent-Defendants,

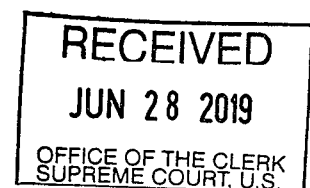
On Petition for Certiorari to the United States Supreme Court
From the Court of Appeals for the Ninth Circuit

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

Alfred Lam and Paula Leiato (in Pro Per)

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**TO THE HONORABLE JUSTICE ANTHONY KENNEDY, JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR
THE NINTH CIRCUIT:**

Pursuant to Supreme Court Rules 13.5, 22 and 30, Petitioners respectfully request a 45-day extension of time, up to and including September 1, 2019, to file a petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit to review that court's decision in In re: No: 17-15208 (9th Cir.) (attached as Exhibit A). It issued its judgment on March 18, 2019. The motion of reconsideration was denied on April 19, 2019. The jurisdiction of this Court will be invoked under U.S.C. section 1254(1), and the time to file for a writ of certiorari will expire without an extension on July 18, 2019. This application filed by the petitioners is timely because it has been filed more than ten days prior to the date on which the time for filing the petition is to expire.

1. This case presents a substantial and important question of federal law; whether a federal court adjudicating a motion under Federal Rule of Civil Procedure 60(d)(3) for "fraud upon the court" may consider the totality of circumstances and evidence of fraud, including evidence that was not known at the time of judgment, as later-discovered evidence. The Ninth Circuit's judgment conflict with this Court's precedents. *See Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944).

2. Petitioners in *pro se* will be filing three related but separate petitions with deadline within one day of each other for a writ of certiorari to United States Court of Appeals for the Ninth Circuit to review that court's decision in *In re: 17-15208 (9th Cir.)* No: 16-15596 (9th Cir.); 16-16559 (9th Cir.) and (attached Exhibit A). All of these

commitments will significantly limit petitioner's availability to work on this matter between today and July 18, 2019.

Accordingly, the petitioners respectfully request that an order be entered extending the time to file a petition for a writ of certiorari for 45 days, up to and including September 1, 2019.

Dated: June 25, 2019

Respectfully Submitted,

/s/ alfred lam /s/ paula leiato

Alfred Lam (Pro Se) Paula Leiato