No. _____

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IN THE

SUPREME COURT OF THE UNITED STATES

_____

LORI A. ZARLENGA,

Petitioner

vs.

Rhode Island Department of Behavioral
Healthcare, Developmental Disabilities and Hospitals,

Respondent

_____

MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT IN PETITION FOR WRIT OF CERTIORARI

Petitioner Lori Zarlenga hereby moves this Court to grant Petitioner permission to exceed the 40 page limitation imposed by Rule 33.2(b) of the Rules of the United States Supreme Court, for the purpose of filing a Petition of Writ of Certiorari in the United States Supreme Court on September 3, 2019. In support of this motion Plaintiff hereby states:

Att'N: Justice Stephen Breyer for the United States Court of Appeals for the First Circuit.

1. Petitioner states that due to the complexities and the number of issues involved in this case, necessary to aid in the decisional process of this Court, the Petition for Writ of Certiorari exceeds the page limit.

2. Plaintiff states that Plaintiff is Pro Se and not an Attorney.

3. Petitioner states that Petitioner's Petition for Writ of Certiorari exceeds 32 pages over the limit.

4. Petitioner states that Petitioner's Writ of Certiorari present questions and issues of exceptional public importance and involves legal issues of first impression.

5. Petitioner states that no party will be prejudiced by a grant of this motion.

6. Petitioner requests that in the alternative, if this Court is not in favor of granting leave to exceed the page limit then, Petitioner requests that this Court grant Petitioner additional time to comply with the page limit.

7. Petitioner states that Petitioner's case will be dismissed, if this Court denies or does not act on this motion.

8. Petitioner states for good cause pursuant to Rule 33.1(d), the Court or a Justice may grant leave to file a document in excess of the word limits.

9. Petitioner requests from this court leniency based on Petitioner's Pro Se status, to ensure a miscarriage of justice does not occur in Petitioner's case, and for reasons mentioned herein. Pro Se litigants must be ensured meaningful access to the courts, Bounds v. Smith 430 U.S.817, 823, (1977). Pro Se pleadings are held to less stringent standards than those prepared by attorney, Haines v. Kerner 404 U.S. 519, 520-521 (1972). Noll v. Carlson, 809 F.2d at 1448 (9th Cir. 1987) ("Presumably unskilled in the law, the pro se litigant is far more prone to making errors in pleading than the person who benefits from the representation of counsel."

In Walter Process Equipment v. Food Machinery ,382 U.S. 172 (1965) it was held in a "motion to dismiss, the material allegations of the complaint are taken as admitted and true. Where a Plaintiff pleads Pro Se in a suit for protection of civil rights, the court should endeavor to construe Plaintiffs pleading without regard to technicalities, Picking v. Pennsylvania Railway (151 F2d. 240) Third Cir. Court of Appeals.

In Puckett v. Cox, it was held that Pro Se complaint requires a less stringent reading than one drafted by a lawyer, (456 F2d 233 (1972 Sixth Circuit USCA)said Justice Black in Conley v. Gibson, 355 U.S. 41 AT 48 (1957)" The Federal Rules rejects the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits "According to Rule 8 (f) FRCP all pleadings shall be construed to do substantial justice".

For the foregoing reasons, Plaintiff request that this Court grant Petitioner's Motion for leave to exceed the 40 page limit.

Respectfully submitted on this 3rd day of September 2019.

Lori Q. Zarlenga

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Pro Se
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of September 2019, I served a copy of the within Motion to Exceed the Page Limit to, Kate Breslin Harden, Esq. Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals 41 West Road, Hazard Building Cranston, R.I. 02920 , by Federal Express Postage prepaid.

Lori Q. Zarlenga