

ORIGINAL

No. 19A778

In the Supreme Court of the United States of America

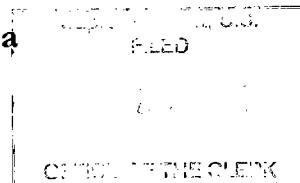
Abdul Mohammed,

*Petitioner*

v.

DuPage Legal Assistance Foundation et.al,

*Respondents*

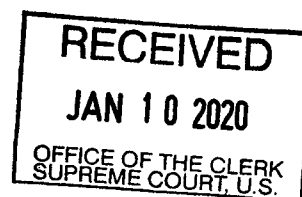


APPLICATION FOR EXTENSION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI

To the Honorable Brett Kavanaugh  
Associate Justice of the United States Supreme Court and Circuit Justice for the 7<sup>th</sup> Circuit

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December 29, 2019



## APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Abdul Mohammed hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, March 20, 2020.

### JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is from United States Court of Appeals for the 7<sup>th</sup> Circuit in *Mohammed v DuPage Legal Assistance Foundation et.al*, No. 19-1207 (October 22, 2019) (attached as Exhibit 1).

### JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari was due to be filed on or before January 20, 2019. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

### REASONS JUSTIFYING AN EXTENSION OF TIME

1. Petitioner is the primary caregiver of his 3 minor children and he is taking care of his 3 minor children, 223 days of the year.
2. Further, the Petitioner is a person with disabilities within the meaning of Americans with Disabilities Act, the Rehabilitation Act of 1973, Section 504 and the Federal Traumatic Brain Injury Reauthorization Act of 2014.
3. Petitioner's Mental Disabilities hinder his ability to prepare his Petition for Writ of Certiorari, at a pace similar to people without disabilities and/or attorneys.
4. Due to his Mental Disabilities, the Petitioner works very slowly and he needs additional time to navigate through Legal Documents and Pleadings or to prepare Legal Documents and Pleadings.
5. Further, the Petitioner is facing significant health issues due to the physical and mental injuries caused to him by the Respondents in this case, and the Petitioner is taking 12 different medications every day due to the injuries caused to him.

6. Due to the injuries caused to the Petitioner by the Respondents in this case, the Petitioner have been found disabled by Social Security Administration on October 22, 2019 retroactively from January 21, 2017. Social Security Administration specifically ruled that the Petitioner have been disabled due the injuries caused to him as described above. The findings by Social Security Administration in disability determinations are *prima facie* evidence in other court proceedings. In *Golian v. Golian*, 781 A. 2d 1112 – New Jersey Appellate Div. 2001, the Superior Court of New Jersey, Appellate Division, ruled, “No evidence has been presented to impugn the reasonableness of the SSA determination in plaintiff's case. Defendant assisted plaintiff in obtaining the award. Pursuant to an order in these proceedings, plaintiff signed an authorization giving defendant access to her SSA file, thereby enabling him to scrutinize the basis for the award. In the circumstances of this case, we hold that the SSA adjudication of disability constitutes a *prima facie* showing that plaintiff is disabled, and therefore unable to be gainfully employed, and the burden shifts to defendant to refute that presumption. Accordingly, we remand for further proceedings, in which the trial judge shall consider such additional evidence which defendant may present to attempt to overcome this presumption. Of course, plaintiff may present rebuttal evidence. Such evidence may consist of lay testimony, expert testimony or medical records, consistent with the Rules of Evidence, as the trial court deems appropriate”.

### CONCLUSION

For the forgoing reasons, the Petitioner respectfully requests that this court, grant 60-day extension of time, up to and including Friday, March 20, 2020, within which to file a petition for a writ of certiorari.

Respectfully Submitted,



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