

IN THE  
SUPREME COURT OF THE UNITED STATES

Case No. 

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UNITED STATES OF AMERICA,

**Plaintiff/Appellee/Plaintiff**

v.

**LEO STOLLER,**

**Petitioner/Appellant/Defendant**

**ATTENTION: Justice Kavanaugh**

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On Appeal from the United States Court of Appeals  
For the Seventh Circuit Court of Appeals No.18-3112

On Appeal from the Northern District of Illinois  
Judges Presiding Virginia M. Kendall  
Case No. No. 10 CR 1052-1

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**MOTION FOR EXTENSION OF TIME TO  
FILE PETITION FOR LEAVE TO FILE  
WRIT OF CERTIORARI**

NOW COMES the Petitioner, LEO STOLLER, 73, a disabled person, a protected person, under the American's for Disability Act (ADA) a protected person, under the American's for Disability Act (ADA) requests leave of Court for a sixty (60) day extension of time to file a Petition for Writ of Certiorari and states as follows:

Petitioner moves this Court under Supreme Court Rule 13 (5) for an extension of time to file Petitioner's Petition for Leave to File Writ of Certiorari .

The Seventh Circuit Court of Appeals issued final appealable decision in Appeal No. 18-3112, (successor appeal to 14-3587<sup>1</sup>) on June 28, 2019 which is attached as **Exhibit 1** .

The Seventh Circuit Court of appeals denied the Petitioners Request for en bloc hearing on July 18, 2019 (Doc 73) **Exhibit 2**

The erroneous ruling **Exhibit 1** in Petitioner's Seven Circuit Court of are more than just bad decisions but will result in harmful precedent that should not be ignored because it conflicts with the Illinois and Federal Constitutions prohibition against laws abridging freedom of speech and the ability of citizens to petition the government, including the courts, for the redress of grievances. Ill.Const.1970, art. I, §§ 4, 12; U.S. Const. Amd. I.

The Bill of Rights to the Illinois Constitution provides that "all persons may speak, write and publish freely," Ill.Const.1970, art. I, § 4, and that every person shall find a certain remedy

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<sup>1</sup> Petitioner, in his Appeal No. 18-3112 also challenged all the orders entered in his first appeal 14-3587 see **Group Exhibit 3** all the Orders entered in Case No. 10-cr-01052-1 which were the subject of Appeal 14-3587 including a guilty plea under the legal theory that any order or guilty plea is not a final order ." *Kenner v. C.I.R.*, 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final. That under the legal theory that FINAL JUDGMENTS in case Appeal NO. 14-3587 were not accorded the finality the term suggests, and their binding effect may be eviscerated in a number of ways. The binding effect of these judgments may be avoided by newly discovered evidence which the Petitioner produced, and showing that the orders were obtained by fraud; and requesting the enjoining enforcement.(Which the Appeals denied See Exhibit 1) See also **FED. R. Civ. P. 60(b); 3 FREEMAN, JUDGMENTS** § 1178 (5th ed. 1925). These judgments may be nullified either directly or collaterally, and were attached via a hybrid proceeding, appeal 18-3112. Petitioner made A direct attack on judgments entered in Appeal No. 14-3587 See **Group Exhibit 3** an attempt to avoid or correct it in some manner provided by law, in proceeding Appeal No 18-3112 instituted for that very purpose the action or proceeding has an independent purpose and contemplates some other relief or result, although the overturning of the judgment may be important or even necessary to its success, the attack on the judgments and Pleas Agreement, affirmed in Appeal 14-3587 was collateral. 49 C.J.S. *Judgments* § 408 (1947). See **DUKE LAW JOURNAL** [Vol. 1964:109]

in the laws for all injuries and wrongs which he receives. He shall obtain justice by law, freely, completely, and promptly," *Id.* § 12.

The First Amendment, applicable to the States under the Fourteenth Amendment, states that Congress shall make no law abridging freedom of speech and "the right of the people peaceably to petition the Government for a redress of grievances." U.S. Const. Amd. I.

Petitioner's motion for an extension is necessary in order to obtain counsel to make his case for Leave to File a Writ of Certiorari .

Petition for Writ of Certiorari is important and useful because of the Seventh Circuit Court of Appeals fundamental mistake(s) of law or faulty reasoning in their opinions. The Petitioner has good reason to believe that the high court will want to correct the lower courts error(s) in favor of the Petitioner, which affects every person<sup>2</sup> in the United States<sup>3</sup>.

Petitioner is disabled. Petitioner is requesting a 60 extension of time to retain counsel in their appeal to overturn the erroneous order issued by the Seven Circuit Court of Appeals. Petitioners' appeal have merit and raises interesting questions of law, which the High Court will want to hear.

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ברורות ראיות יש  
נכח קשייש נגד לאפליה  
<sup>3</sup>פסקי הדין הבלתי עקביים של השופט בית המשפט המחוזי שרון קולמן ובית המשפט לערעורים  
השביעי

1 יכולם להיות עדות לכך שבית המשפט לערעורים השבעי לערעורים איפשר לעותרת להגיש בקשה  
אלكتروנית, וסירב לשפט את בית המשפט המחוזי שלא הרשה העצור נכח ל- 69 עותר בתיק באופן  
אלكتروني תוך הפרה ברורה של זכויות היליך ההווגן של העותר

WHEREFORE, Petitioner is thus requesting a 60 day extension of time, to obtain counsel in order to file a Writ of Certiorari up and until **December 15, 2019**. What ever other relief that the court deems fit and proper.

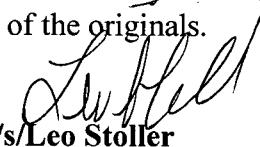
Respectfully submitted,



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### VERIFICATION

Under penalties as provided by law under Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, and as much matters, the undersigned certifies as aforesaid that I verify believe the same to be true, and the attached documents are true and correct copies of the originals.



/s/Leo Stoller