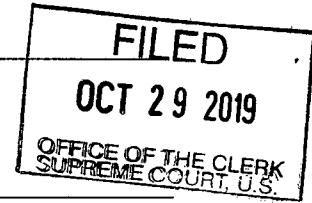


No. 19A494



IN THE SUPREME COURT OF THE UNITED STATES



Lei Ke

Petitioner-Applicant,

v.

Drexel University,
Respondent.

**APPLICATION TO THE HON. SAMUEL A. ALITO, JR., FOR AN EXTENSION OF
TIME WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI TO
THE SUPREME COURT OF PENNSYLVANIA**

1. Pursuant to Rules 13.5 and 30.2 of this Court, Petitioner Lei Ke hereby moves for an extension of time of 35 days, to and including December 23, 2019, for the filing of a petition for a writ of certiorari to review the denial, on August 20, 2019, of petitioner's petition for allowance of appeal by the Pennsylvania Supreme Court, which let stand the judgment by the Superior Court of Pennsylvania. (Exhibit 1.) The jurisdiction of this Court is based on 28 U.S.C. § 1254(1).

2. Unless extended, the time for filing a petition for a writ of certiorari will expire on Nov. 18, 2019. This application is filed 20 days prior to that expiration date.

3. Rule 13.1 provides that a petition for a writ of certiorari must be "filed with the Clerk within 90 days after entry of the order denying discretionary review" "by the state court of last resort." The Pennsylvania Supreme Court denied his petition for allowance of appeal on August 20, 2019 (Exhibit 1), but petitioner was never aware of that because that court never notified him of its decision.

4. On September 25, 2019, wondering why the Pennsylvania Supreme Court had

still not ruled on his petition for allowance of appeal after he had filed it in February 2019 , petitioner checked the online docket and found his petition had already been denied on August 20, 2019. Thus, in light of Rule 13.1, he had only 55 days, instead of 90 days, to file his petition.

5. He is *pro se* and is not on a par in efficiency with attorneys practicing in this Court. He also has a vision disability¹ and needs ADA accommodation as he cannot look at the computer screen to do research or write for long without having to rest his eyes. Given these facts, he will be unable to file his petition by the deadline of November 18, 2019.

6. Petitioner's case presents important questions of law and the Constitution, which, at this point, would tentatively be : (1) whether the Superior Court of Pennsylvania violated the due process and equal protection of the laws clauses of the Fourteenth Amendment by refusing to recognize the dual proceedings waiver doctrine, and (2) whether the Superior Court of Pennsylvania violated the Contract Clause of the United States Constitution by refusing to recognize the dual proceedings waiver doctrine.

7. Petitioner needs an extension to have adequate time to research legal issues and prepare an appropriate petition for consideration by this Court.

For the foregoing reasons, petitioner respectfully requests that an extension of 35 days to and including December 23, 2016 be granted within which petitioner may file a petition for a writ of certiorari.

October 29, 2019

(This application will be mailed in duplicate just in case one of them gets lost in the mail.)

Respectfully submitted,


Lei Ke
4025 Roosevelt Blvd.
Philadelphia, PA 19124
215-459-6905

¹ Petitioner suffers from glaucoma, cataracts, and partial blindness, despite his eye surgery, and he has sustained peripheral vision loss and has blurry/double vision. Respondent is aware of his disability.