

No. \_\_\_\_\_

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IN THE  
SUPREME COURT OF THE UNITED STATES

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MICHAEL DEUSCHEL — PETITIONER

VS.

KAISER FOUNDATION HEALTH PLAN, INC., et al — RESPONDENT(S)

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ON PETITION FOR A WRIT OF CERTIORARI TO  
THE CALIFORNIA COURT OF APPEAL, SECOND DISTRICT

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APPLICATION FOR 60 DAY EXTENSION TO FILE  
THE PETITION FOR WRIT OF CERTIORARI  
DUE TO EXACERBATED DISABILITIES, SURGERIES and RECOVERY

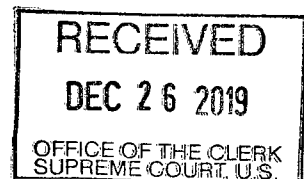
Michael Deuschel, Propria Persona

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El Segundo, CA 90245,

323-620-1231

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## Request for a Sixty-Day Extension to File a Petition for Certiorari

Petitioner Michael Deuschel, *propria persona*, is a person with multiple disabilities. In accordance with Supreme Court Rule 13.5, he respectfully requests ADA accommodation of his exacerbated disabilities, medical incapacitation, surgeries and prescribed recovery by extending by sixty days the due date of his Petition for Certiorari for *Michael Deuschel v. Kaiser Foundation Health Plan, et al*, Appellate number B284814 and State Supreme Court Number S257546.

July 11, 2019, the Court of Appeal dismissed Petitioner's Appeal.

(Attachment #1)

October 9, 2019, the California State Supreme Court denied Petitioner's Petition for Review of the Appellate Decision. (Attachment #2).

Jurisdiction for the United States Supreme Court to review on a writ of certiorari the judgment in question is invoked pursuant 28 U.S.C. § 1257(a).

Petitioner's Petition for Writ of Certiorari is due Tuesday, January 7, 2020. He will move the Court at the time of his Petition to proceed in *forma pauperis*.

### **Exacerbated Disabilities, Medical Incapacitation, Surgeries and Recovery**

November 18, 2019, Petitioner received revision brain surgery to address his exacerbated neurological disabilities. Neurosurgeon Dr. Ali Mesiwala prescribed excuse from all aspects of litigation starting September 18, 2019 until full recovery from surgery six weeks later to December 30, 2019. (Attachment #3)

December 1, 2019, UCSD neurosurgeon Dr. Ciacchi prescribed two more spine surgeries, a cervical spine surgery and a thoracic spinal cord decompression. The cervical surgery should relieve the neck pain and the arms' peripheral neuropathy. The thoracic spinal cord surgery should return sensation and strength to the legs. They are planned for February and March 2020.


December 10, 2019, Petitioner will receive revision herniorrhaphy and neurosurgery to address his exacerbated neurological disabilities. Surgeon Dr. David Chen prescribed excuse from all legal work and six weeks of recovery to Tuesday, January 21, 2020. (Attachment #4)

December 26, Petitioner will receive prerequisite presurgical spine treatments including cervical epidural injections and four-limb Electromyographs.

Petitioner's exacerbated disabilities, debilitating presurgical conditions and diminished physical and cognitive capacities prevent him from performing the legal research and writing inherent in petitioning the U.S. Supreme Court. Therefore, he will suffer disability-based discrimination and legal disadvantage if this Court does not grant him the requested extension.

Therefore, Petitioner respectfully requests a sixty-day extension to file his Petition to Saturday, March 7, 2020. Consistent with Supreme Court Rule 30.1, the due date extends to the next open court date, Monday, March 9, 2020.

Dated: December 9, 2019 By:

A handwritten signature in black ink, appearing to read "Michael Deuschel", is written over a horizontal line.

Michael Deuschel, Disabled Petitioner, Pro Per

## Affidavit

I, Michael Deuschel, declare,

I am *propria persona* and a person with multiple disabilities. At the time of my Petition, I will move the Court to proceed *in forma pauperis*.

I currently suffer exacerbated disabilities, debilitating presurgical conditions and diminished physical and cognitive capacities which prevent me from performing the legal research and writing inherent in petitioning the U.S. Supreme Court.

November 18, 2019, I received revision brain surgery to address my exacerbated neurological disabilities. Neurosurgeon Dr. Ali Mesiwala prescribed excuse from all aspects of litigation starting September 18, 2019 until full recovery from surgery six weeks later to December 30, 2019.


December 1, 2019, UCSD neurosurgeon Dr. Ciacci prescribed two more spine surgeries, a revision cervical spine surgery and a thoracic spinal cord decompression. The cervical surgery should relieve the neck pain and the arms' peripheral neuropathy. The thoracic spinal cord surgery should return sensation and strength to the legs. They are planned for February and March 2020.

December 10, 2019, I am scheduled to receive revision herniorrhaphy and triple neurectomy to address my exacerbated neurological disabilities. UCLA surgeon Dr. David Chen prescribed excuse from all legal work and six weeks of recovery to Tuesday, January 21, 2020.

December 26, I am scheduled to receive prerequisite presurgical spine treatments including cervical epidural injections and four-limb Electromyographs.

February and March 2020, I will receive the two planned spine surgeries.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: December 9, 2019 By:   
Michael Deuschel, Disabled Petitioner, Pro Per