

No. 19-____

In The
SUPREME COURT OF THE UNITED STATES
October Term 2019

Luciane Cimino,
Applicant/Petitioner,

v.

The Habitat Company LLC
Respondent.

**Application for a Further Extension of Time Within
Which to File a Petition for a Writ of Certiorari to the
Appellate Court of the State of Illinois.**
(The Supreme Court of the State of Illinois denied discretionary Leave to Appeal)

**APPLICATION DIRECTED TO THE HONORABLE JUSTICE
BRETT M. KAVANAUGH AS CIRCUIT JUSTICE**

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February 12, 2020.

Applicant/Petitioner

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Luciane Cimino hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari for *two* judgments, up to and including April 24, 2020.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The two judgments for which review is sought include: I) *The Habitat Company LLC v. Luciane Cimino* (Counter-Plaintiff) Nos. 1-17-2460 & 1-17-2705 (Consolidated) (February 5, 2019) (attached as Exhibit 1); and II) *The Habitat Company LLC v. Luciane Cimino* (Counter-Plaintiff), No. 1-18-0278 (July 16, 2019) (attached as Exhibit 2). The Supreme Court of the State of Illinois denied Applicant's Petition for Appeal as a Matter of Right or, in the alternative, Petition for Leave to Appeal for each of the two above referred judgments, respectively on September 25, 2019 (attached as Exhibit 3) and on November 26, 2019 (attached as Exhibit 4).

On December 11, 2019, the Supreme Court of the State of Illinois also denied Applicant's Motion to Reconsider the denial of Applicant's *Motion for Leave of Court* to file a Motion to Reconsider the above-referred order denied on September 25, 2019, referring to the first Appeal Nos. 1-17-2460 & 1-17-2705 (Consolidated). (Order of December 11, 2019 attached as Exhibit 5).

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 in the *first* Appeal Nos. 1-17-2460 & 1-17-2705 (Consolidated) on or before December 26, 2019. On January 8, 2020 Justice Kavanaugh extended the time in which to file the petition for writ of certiorari to and including Saturday, February 22, 2020 (effectively *Monday*, February 24, 2020) (Order of January 8, 2020 attached as Exhibit 6). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed in the *second* Appeal No. 1-18-0278 on or before February 24, 2020 (90 days from November 26, 2019). In accordance with Rule 13.5, this application for extension of time is being filed at least 10 days in advance of the filing dates for the petition for a writ of certiorari for *both* above referred judgments, that is, for the *first* judgment referring to Appeal Nos. 1-17-2460 & 1-17-2705 (consolidated) and the *second* judgment referring to Appeal No. 1-18-0278, both due on February 24, 2020 (effectively).

According to Rule 10 of the Rules of this Court, when two or more judgments are sought to be reviewed on a writ of certiorari to the same court and involve identical or closely related questions, a *single* petition for a writ of certiorari covering all the judgments suffices. This is the case for the *two* above referred judgments and therefore a single petition for a writ of certiorari will be filed.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decisions of the Appellate Court of the State of Illinois in the *two* above referred cases (since Leaves to Appeal were denied by the Supreme Court of the State of Illinois), up to and including April 24, 2020, for good cause. In support thereof, Applicant states as follows:

1. Initially, concerning the *first* judgment referring to Appeal Nos. 1-17-2460 & 1-17-2705 (consolidated), the Applicant had expected to have granted Applicant's Motion for Leave of Court to file a Motion to Reconsider the denial of Applicant's Petition for Appeal as a Matter of Right or, in the alternative, Petition for Leave to Appeal. However, said Motion was denied *only* on December 11, 2019. (Exhibit 6)

2. In December of 2019, Applicant's car was seriously rear-ended forcing the Applicant to focus on subsequent health issues, still in the process of being addressed. The usual time for convalescence is 3 months. Applicant had expected to convalesce faster than the usual time required but has not yet been able to return to usual activities and is still being forced to focus on addressing health issues. For this reason Applicant will need the extension of time requested in this application.

3. Additionally, this petition for a writ of certiorari will include not one but *two judgments* referring to *two* separate Appeals as stated above, that is, Appeal Nos. 1-17-2460 & 1-17-2705 (consolidated), and also Appeal (No. 1-18-0278) of the same case, which raised closely related questions but was adjudicated *later*. The second above-referred Appeal was concluded only on November 26, 2019, when the

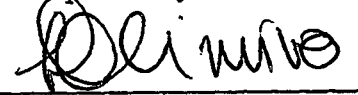
Supreme Court of the State of Illinois denied Applicant's Petition for Appeal as a Matter of Right or, in the alternative, Petition for Leave to Appeal in said *second* case. (Exhibit 4). This occurred just prior to Applicant's car accident that occurred in December of 2019. As stated above, according to Rule 10 of the Rules of this Court a *single petition* for a writ of certiorari covering the *two* judgments will be filed. As the two judgments will be addressed in the same petition, an extension of time is required to prepare the petition for a writ of certiorari, including *the two* judgments, given that the *second* Appeal was decided just a few days before Applicant's car accident in December of 2019 (the *first* Appeal was also finally concluded on December 11, 2019). The two cases include issues of great importance to a broad array of individuals and a large percent of the population of the country.

A 60-day extension of time will permit the Applicant the time necessary for convalescence, and to research and complete a cogent and well-researched petition including *both* judgments.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days, up to and including April 24, 2020, within which to file a petition for writ of certiorari for both above-referred Appeals.

Respectfully submitted,



Luciane Cimino

February 12, 2020.

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