

# Peters Kalail & Markakis

CO., L.P.A.

ATTORNEYS AT LAW

ALBIN BAUER, II  
DAVID S. HIRT  
KARRIE M. KALAIL  
KRISTA KEIM  
MARIA LIMBERT MARKAKIS  
SHERRIE C. MASSEY  
SCOTT C. PETERS  
DANIEL R. SHISLER  
  
OF COUNSEL:  
JENNIFER A. ANTOON

SCOTT C. PETERS  
Direct 216 | 503-5080  
[speters@ohioedlaw.com](mailto:speters@ohioedlaw.com)

October 1, 2020

**Via Electronic Filing**

Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, NE  
Washington, D.C. 20543-0001  
[sharris@supremecourt.gov](mailto:sharris@supremecourt.gov)

Re: ***Jane Doe, et al. v. Jackson Local School District Board of Education, et al., No. 20-320***  
***Motion to Extend Time to Respond to Petition for Writ of Certiorari***

Dear Mr. Harris:

Pursuant to Supreme Court Rule 30.4, Respondents Jackson Local School District Board of Education, Bus Driver Jimmie Singleton, Building Principal Susanne Waltman, Director of Transportation Harley Neftzer, Dean of Students Michelle Krieg, and Guidance Counselor Tamara Neff respectfully move for an extension of time for filing their response to Petitioners John and Jane Doe's *Petition for Writ of Certiorari*, until November 3, 2020.

The original deadline for Petitioners to file their *Petition for Writ of Certiorari* was May 18, 2020. Given, however, the COVID-19 Pandemic, such deadline was understandably extended to August 31, 2020, and Petitioners filed their *Petition for Writ of Certiorari* on August 27, 2020 (which was subsequently docketed on September 10, 2020).

Review of Petitioners' *Petition for Writ of Certiorari* reveals numerous arguments that were not raised or briefed to either the District Court for the Northern District of Ohio or the Sixth Circuit Court of Appeals, including specifically that (1) the Supreme Court has not determined the test to be utilized in determining whether the State Created Danger theory applies; and (2) the elements and factors for the State Created Danger Test are applied differently by district and circuit courts throughout the United States. See, *Petition for Writ of Certiorari* at 11-32.

In order to fully respond to Petitioners' *Petition for Writ of Certiorari*, Respondents must address the issues previously raised and argued by Petitioners and the additional arguments set forth in the *Petition for Writ of Certiorari*. Thus, Respondents request an additional twenty-one (21) days to file their response. Respondents do not request this extension for purposes of delay, but to give them adequate time to assess the legal issues in this matter and respond to same.

Scott S. Harris  
Clerk of the Court  
October 1, 2020  
Page 2

For the foregoing reasons, Respondents respectfully request that the Court grant their request for a twenty-one (21) day extension until November 3, 2020, to file a response to Petitioners' *Petition for Writ of Certiorari*.

Respectfully submitted,

*Scott C. Peters*

Scott C. Peters  
*One of the Attorneys for Respondents*

cc:     Laura L. Mills, Counsel for Petitioners