



January 11, 2022

VIA CLERK OF COURT'S E-FILING SYSTEM

Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543-0001

RE: *Jacqueline M. Giebell v. Heartland of Dublin Nursing Facility*, Docket No.  
21-6639 Motion to Extend Time to Respond to Petition for Writ of Certiorari

Dear Mr. Harris:

Pursuant to Supreme Court Rule 30.4, Respondent identified as Heartland Dublin Nursing Facility (hereinafter "Respondent") respectfully moves for an extension of 30-day's time for filing its response to Petitioner Jacqueline M. Giebell's Petition for Writ of Certiorari in *Jacqueline M. Giebell v. Heartland of Dublin Nursing Facility*, Docket No. 21-6639, until February 17, 2022.

The original deadline for Respondent to file any response to Petitioner's Petition for Writ of Certiorari is January 18, 2022.

Review of Ms. Giebell's Petition for Writ of Certiorari reveals numerous claims and arguments that were *not* raised or briefed to either the District Court for the Southern District of Ohio or the Sixth Circuit Court of Appeals, including specifically that (1) Ms. Giebell for the first time pleads a claim under 42 U.S.C. § 1983 for alleged violations of the Federal Nursing Home Reform Act (FNHRA), see 42 U.S.C. § 1396r *et seq.*; (2) Ms. Giebell for the first time pleads a claim for violations of Ohio criminal statutes under the Ohio Revised Code § 2307.60; (3) Ms. Giebell for the first time pleads claims under the First Amendment to the United States Constitution; and (4) pleads various factual allegations not stated in the record below. *See* Petition for Writ of Certiorari at 17-24.

In order to adequately respond, Respondent must parse the Petition to address these newly raised issues in the context of the case and record below. The recent holidays and the COVID pandemic intervened in Respondent's preparation of a timely response to the Petition by the current deadline. In order to most effectively respond to the Petition, the Respondent respectfully requests an additional 30 days to file its response. There is no apparent prejudice in this matter where there is no alleged conduct of an ongoing nature, or request for injunctive relief.

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For the foregoing reasons, the Respondent respectfully requests an extension of the deadline for filing its response to Ms. Giebell's Petition for Writ of Certiorari from January 18, 2022, until February 17, 2022.

Respectfully submitted,

/s/ *Brian D. Sullivan*

Brian D. Sullivan (0063536)

REMINER Co., LPA