

IN THE SUPREME COURT OF THE UNITED STATES

JEAN COULTER, Petitioner

v.

Case No. : \_\_\_\_\_

PAUL LAURENCE DUNBAR, et. al, Respondents

MOTION FOR EXTENSION OF TIME  
TO FILE PETITION FOR CERTIORARI

NOW COMES, Petitioner, JEAN COULTER ("Coulter") and files Motion for Extension of Time to File Petition for Certiorari – asking Justice Samuel Alito, circuit justice for the Third Circuit, to grant extension of time to file Petition for Certiorari with this court. In support of this Request, Coulter states :

1.) On July 8, 2021, the Third Circuit denied Coulter's Appeal (Third Circuit docket number 21- 1164).

On July 22, 2021, Coulter filed Application for Reconsideration in the Third Circuit.

2.) At some point in early July 2021, Coulter checked the status of this court's rule changes – and noticed that the date for timely filing had not been changed since the original "blanket" extension was issued on March 19, 2020 (in response to the pandemic), which extended the date for filing Petition for Certiorari from 90 days to 150 days.

3.) Coulter more recently noted that on July 19, 2021, that the March 2020 Order (which granted an automatic extension of 60 days for filing Petition for Certiorari) had been rescinded - and a the new Order requires that a Petition of

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Certiorari will again only be considered to have been timely filed, if it is filed within 90 days of any "relevant lower court judgment".

Coulter also noted that in order to timely file Petition for Certiorari related to a judgment issued on or before July 19, 2021, remains at 150 days.

4.) In the Instant Matter, the Third Circuit denied Coulter's Application for Reconsideration on August 9, 2021 (Exhibit A) Thus Coulter is required to file within 90 days after the denial of reconsideration of her appeal in the federal appellate court.

5.) Coulter acknowledges that she negligently failed to repeatedly check for changes in this court's extension of time for filing Petition for Certiorari. However, Coulter believes that this is because, where Coulter has been recently staying (at her "Mother's home" in Western Pennsylvania (Butler County)), Coulter has not seen any significant reduction in the negative effects of the Coronavirus – despite this reduction in cases/ hospitalizations/deaths occurring in most areas of the country. (Coulter has extended her stay in Western Pennsylvania, in order to permit her to attend the service for a COVID victim on October 16, 2021.)

Indeed, recently, the entire public transit system in Butler County (Western Pennsylvania) was shut down, when essentially every employee in the entire transit system was required to self-quarantine after receiving a Positive COVID test and experiencing symptoms. (The "commuter" routes were able to continue at 50% service, only after the Transit Authority was able to hire a private contractor to provide both drivers and buses for those trips (as even the transit authority's

mechanics had been sickened so even maintenance for the city's fleet was impossible).)

Additionally, because the extremely low rate of vaccination as well as refusals by the majority of the county's residents to comply with mask mandates, Coulter has found it extremely difficult to even utilize the local library. Initially, the library was so severely restricting access, that it only provided 4 chairs for patrons to use indoors – in order to assure Social Distancing". Further, the library cut-off internet access outdoors – apparently as the result of too many people using the library's internet access to download movies, etc. While the library has permitted more indoor seating, it was not until September 7, 2021, that the library finally resumed its "standard" operating hours once again.

6.) Recently, when reviewing this court's Order rescinding the (now expired) "automatic" 60 day extension of time for filing of Petition for Certiorari, Coulter realized that she is not certain whether her case would be eligible for the extension of time for filing based on Coulter's calculation of time based on the date of the initial decision of the appeal, by the Third Circuit (rather than the utilizing the date of denial of reconsideration).

Coulter did file for En Banc Rehearing, but, Coulter believed that she could use the date of the Panel Decision (which was on July 8, 2021 (and therefore prior to July 19, 2021)) as the starting point for the "clock" – and thus, Coulter believed that she would be permitted to file Petition for Certiorari within 150 days of July 8,

2021, rather than within 90 days of August 9, 2021. (Exhibit A) However, Coulter is uncertain of the meaning of this court's July 19, 2021 Order which states :

"... in any case in which the relevant lower court judgment, order dismissing discretionary review or order denying a timely petition for rehearing was issued prior to July 19, 2021, the deadline to file a petition for writ of certiorari remains extended to 150 days from the date of the judgment or order."

7.) Generally applications for extension of time to file Petition for Certiorari are not favored. However, an especially significant disparity has resulted from the clearly unique situation which this court has had to address because of the effects of COVID, particularly for appeals which were decided during the summer.

For Coulter, this disparity has meant that simply because the Third Circuit affirmed the district court's decision on July 8, 2021 and the July 19, 2021 Order reverses the temporary extension of time for filing petition for Certiorari, the subsequent En Banc denial of the request for Reconsideration means that Coulter now struggles to complete her Petition for Certiorari.

WHEREFORE, Coulter requires an extension of time to file Petition for Certiorari from the Third Circuit, to permit an extra 60 days to (a total of) 150 days from the date of the dismissal by the Third Circuit on August 9, 2021 – or in the alternate, an extension of 60 days to (a total of) 150 days of the July 8, 2021 dismissal.

Respectfully Submitted,



Jean Coulter, Petitioner