

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

No. 20-1227	LEO D. STOLLER, et al., Plaintiffs - Appellants - Petitioner v. CMH MANUFACTURING, INC., et al., Defendants - Appellees - Respondents
Originating Case Information: District Court No. 1:18-cv-00047 Northern District of Illinois, Eastern Division District Judge Sharon Johnson Coleman Clerk/Agency Rep Thomas G. Bruton	OrdersAppealed From: Case No. 20-1227 02/15/2022 (Doc 98)

Case filed: 02/11/2020

Case type: cv/pri

Date of Judgment: 02/10/2020

Date NOA filed: 02/10/2020

Justices William Bauer, Michael Kanter & Michael B. Brennan



ATT: Justice Amy Coney Barrett

**NOTICE OF FILING Motion For Extension of Time to File Petitioner's Petition for
Writ of Certiorari**

TO: John A. Roberts Esq
, Faegre Dinkler Baker Daniels LLP,
311 S. Wacker Drive, Suite 4300,
Chicago, Illinois 60606

See service list

PLEASE TAKE NOTICE that on the **21th day of April**, there was filed with the Clerk of the United States Supreme Court, 1 First Street N.E., Washington, DC, 20543-0001, the attached **1) Rule 22 Application to Justice Amy Coney Barrett. Motion For Extension of Time to File Petitioner's Petition for Writ of Certiorari**

I certify under oath that the foregoing was mailed via first class mail, from Chicago, on the **4th day of April 21. 2022**, to the parties listed, with the U.S. Postal Service with proper postage prepaid.

Leo Stoller, E.D. *pro se Petitioner*
P.O. Box 60645
Chicago, Illinois 60660
312-545-4554
Email Ldms4@hotmail.com

SERVICE LIST

CERTIFICATE OF SERVICE

I certify under oath that the foregoing was served upon the following parties via first class mail on April 21, 2022, at the Berkshire Hathaway address: **3555 Farnam Street
Omaha, NE 68131**

Clerk of the Court
United States Supreme Court,
1 First Street N.E.,
Washington, DC, 20543-0001

Charles T. Munger,
Merc D. Hamburg,
Daniel J. Jaksich,
Forrest N. Krutter,
Rebecca K. Amick,
Jerry W. Hufton,
Mark D. Millard,
Susan T. Buffett,
Howard G. Buffett,
Malcom G. Chace,
Ronald Olsen,
Walter Scott, Jr.

Warren E. Buffett, Berkshire Hathaway, Inc., Warren E. Buffett, CMH Manufacturing, Inc.,
Clayton Homes, Inc., Clayton Home Building Group, CMN Manufacturing West, Inc., Berkshire
Hathaway Home Builders, Kevin T. Clayton, Tim Woods,
Larry Tompkins, Tim Kuhm

BERKSHIRE HATHAWAY INC.

**3555 Farnam Street
Omaha, NE 68131**

VERIFICATION

Under penalties as provided by law under Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, and as much matters, the undersigned certifies as aforesaid that I served the parties .

/s/Leo Stoller 4/21/22

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No. 20-1227	LEO D. STOLLER, et al., Plaintiffs - Appellants - Petitioner v. CMH MANUFACTURING, INC., et al., Defendants - Appellees - Respondents
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Originating Case Information: Seventh Circuit Court of Appeals No 20-1227

District Court No. 1:18-cv-00047
Northern District of Illinois, Eastern Division
District Judge Sharon Johnson Coleman
Clerk/Agency Rep Thomas G. Bruton

OrdersAppealed From:
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Justices William Bauer, Michael Kanne & Michael B. Brennan



ATT: Justice Amy Coney Barrett

On Appeal from the United States Court of Appeals
For the Seventh Circuit Court of Appeals On Appeal

**RULE 22 APPLICATION
MOTION FOR EXTENSION OF TIME TO
FILE PETITION FOR LEAVE TO FILE
WRIT OF CERTIORARI**

NOW COMES the Petitioner, LEO STOLLER, 75, a disabled person, a protected person, under the American's for Disability Act (ADA) and requests leave of Court for a sixty (60) day extension of time to file a Petition for Writ of Certiorari up and until July 16, 2022 and states as follows:

Petitioner moves this Court under Supreme Court Rule 13 (5) for an extension of time to file Petitioner's Petition for Leave to File Writ of Certiorari up and until July 16, 2022.

The Seventh Circuit Court of Appeals issued final appealable decision(s) dated February 15, 2022 which are attached as **(Appendix 1)** see also **(Appendix 2 Letter from the Supreme Court)**

. The erroneous ruling **(Appendix 1)** in Petitioner's Seven Circuit Court of is more than just bad decision but will result in harmful precedent that should not be ignored because they conflicts with the Eighth Amendment which states: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

The erroneous ruling **(Appendix 1)** in Petitioner's Seven Circuit Court of is more than just bad decisions but will result in harmful precedent that should not be ignored because they conflicts with the Supreme Court findings in s Timbs v. Indiana.

The erroneous ruling **(Appendix 1)** in Petitioner's Seven Circuit Court of are more than just bad decisions but will result in harmful precedent that should not be ignored because they conflicts Federal Constitutions prohibition against laws abridging freedom of speech and the ability of citizens to petition the government, including the courts, for the redress of grievances.

Ill.Const.1970, art. I, §§ 4, 12; U.S. Const. Amd. I.

The Bill of Rights to the Illinois Constitution provides that “all persons may speak, write and publish freely,” Ill. Const. 1970, art. I, § 4, and that every person shall find a certain remedy in the laws for all injuries and wrongs which he receives. He shall obtain justice by law, freely, completely, and promptly,” *Id.* § 12.

The First Amendment, applicable to the States under the Fourteenth Amendment, states that Congress shall make no law abridging freedom of speech and “the right of the people peaceably to petition the Government for a redress of grievances.” U.S. Const. Amd. I.

The Supreme Court ruled unanimously in *Timbs v. Indiana*, 586 U.S. ___ (2019) that states cannot impose excessive fees, fines and forfeitures as criminal penalties. The decision, which united the court's conservatives and liberals, makes clear that the Eighth Amendment's prohibition against "excessive fines" applies to states and localities as well as the federal government. Associate Justice Ruth Bader Ginsburg, just back in court this week after lung cancer surgery, wrote the majority opinion and announced it from the bench. "The protection against excessive fines guards against abuses of government's punitive or criminal law-enforcement authority," Ginsburg wrote. Quoting in part from the court's ruling in 2010 that Second Amendment gun rights apply to the states, she said,

"This safeguard, we hold, is 'fundamental to our scheme of ordered liberty.' "

"For good reason, the protection against excessive fines has been a constant shield throughout Anglo-American history," Ginsburg wrote. "Exorbitant tolls undermine other constitutional liberties. Excessive fines can be used, for example, to retaliate against or chill the speech of political enemies.

"Imposing monetary penalties that bury people under mountains of accumulating debt has devastating consequences on individuals, families and entire communities, particularly low-income communities of color," said Nusrat Choudhury, deputy director of the ACLU Racial

Justice Program.

The decision of the Appellate court conflicts with the Eighth Amendment which states: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." Two of those commands — regarding bail and cruel and unusual punishments — have been deemed to apply to state and local governments. But until now, the ban on excessive fines had not.

As the unconstitutional *Mack* filing bar that has been imposed on citizens by the Seventh Circuit Court of Appeals since at least as early as 1994, violates the First, Fifth and Fourteenth Amendments of the United States Constitution. In particular, the Fifth Amendment states:

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, **nor be deprived of life, liberty, or property, without due process of law;** nor shall private property be taken for public use, without just compensation.

REASON FOR AN EXTENSION

.Petitioner's motion for an extension is necessary in order to obtain counsel to make his case for Leave to File a Writ of Certiorari.

Petition for Writ of Certiorari is important and useful because of the Seventh Circuit Court of Appeals fundamental mistake(s) of law or faulty reasoning in their opinions. The Petitioner has good reason to believe that the high court will want to correct the lower courts error(s) in favor of the Petitioner, which affects every person¹ in the United States².

Petitioner is a 75 year old disabled senior citizen, suffering from Covic 19. Petitioner is requesting a 60 extension of time to retain counsel in his appeal to overturn the erroneous order (Appendix 1) issued by the Seven Circuit Court of Appeals. Petitioner's appeal have merit and raises interesting questions of law, which the High Court will want to hear.

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The Petitioner's petition for a writ of certiorari to review a judgment (Appendix 1) is currently due May 16, 2022. Petitioner Filed on April 13, 2020. Petitioner is request a 60 day extension up and until July 16, 2022 to file his Petition for writ of certiorari or later,

WHEREFORE, Petitioner is thus requesting a 60 day extension of time, to obtain counsel in order to file a Writ of Certiorari up and until July 16, 2022. What ever other relief that the court deems fit and proper.

ברורות ראיות ישן
נכח קשייש נגד לאפליה

²פסק הדין הבלטי עקיבים של השופט בית המשפט המחוזי שרון קולמן ובית המשפט לעערורים השביעי
1 יכולם להיות עדות לנכח שבית המשפט לעערורים השביעי לעערורים איפשר לעותרת להגיש בקשה אלקטרוני, וסירב לשפט את בית המשפט המחוזי שלא הרשה העצור נכח ל- 69 עותר בתיק באופן אלקטרוני תוך הפרה ברורה של זכויות ההליך ההוגן של העותר

Respectfully submitted,

Leo Stoller, E.D. Petitioner

VERIFICATION

Under penalties as provided by law under Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct except as to matters therein stated to be on information and belief, and as much matters, the undersigned certifies as aforesaid that I verify believe the same to be true, and the attached documents are true and correct copies of the originals.

/s/Leo Stoller 4/21/22

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Date of Judgment: 02/10/2020 Date NOA filed: 02/10/2020	
<u>Justices William Bauer, Michael Kanter & Michael E. Branahan</u>	

ORDER

This Matter coming to be heard on Petitioner's Motion For Extension of Time to File Petitioner's Petition for Writ of Certiorari, the court being fully advised in the premises.

IT IS HEREBY ORDERED

Petitioner's Petition for an Extension of time is granted/Denied

Petitioner has up and until July 16, 2022 to file his Petition for Writ of Certiorari or later.

ENTERED: