

IN THE
SUPREME COURT OF THE UNITED STATES

Case No. _____

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No. 20-1227	LEO D. STOLLER, et al., Plaintiffs - Appellants v. CMH MANUFACTURING, INC., et al., Defendants - Appellees
Originating Case Information:	
<p>District Court No: 1:18-cv-00047 Northern District of Illinois, Eastern Division District Judge Sharon Johnson Coleman</p>	

ATT: Justice Kagan

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

**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 to Appeal a final Order issued by the Seventh Circuit Court of Appeals on May 12, 2022 (Appendix 1) up and until October 10,, 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 October 10, 2022. The Seventh Circuit Court of Appeals issued final appealable decision(s) dated Feb. 15, 2022 and final decision for reconsideration and/or clarification dated May 12, 2022 which are attached as (**Appendix 1**)

. The erroneous ruling(s) (**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(s) (**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 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 bar¹ 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:

¹ Support Systems Int'l Inc v Mack 45 F.3d 185 (7th Cir 1995), which is unconstitutional and needs to be reversed.

"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 person² in the United States³.

ברורות ראיות ישן

נכחה קשיש נגד לאפליה

³פסק הדין הבלטי עקביהם של השופט בית המשפט המחוזי שרון קולמן ובית המשפט לעערורים
השביעי

1. יכולם להיות עדות לכך שבית המשפט לעערורים השביעי לעערורים איפשר לעתורת להגיש בקשה
אלקטרונית, ווירב לשפט את בית המשפט המחוזי שלא הרשה העצור נכון ל- 69 עותר בתיק באופן
אלקטרוני תוך הפרה ברורה של זכויות ההייר הוגן של העותר

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(s) (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.

The Petitioner's petition for a writ of certiorari to review judgment(s) (Appendix 1) is currently due August 11, 2022 . Petitioner Filed on May 26, 2022 with the Supreme court. Petitioner is request a 60 day extension up and until October 10, 2022, to obtain counsel and 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 October 10, 2022. What ever other relief that the court deems fit and proper.

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 5/26/22

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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 October 10, 2022 to file his Petition for Writ of Certiorari or later.

ENTERED: