

No. 22-6865

IN THE
SUPREME COURT OF THE UNITED STATES

JENNIFER REINOEHL—PETITIONER

VS.

CENTERS FOR DISEASE CONTROL AND PREVENTION, ET AL.—RESPONDENTS

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT*

**PETITIONER'S APPLICATION TO EXTEND TIME
TO FILE PETITION FOR WRIT OF CERTIORARI**

Jennifer Reinoehl

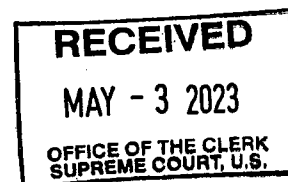
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To the Honorable Amy Coney Barrett, as Circuit Justice for the United States Court of Appeals for the Seventh Circuit:

Pursuant to this Court's Rules 13.5, 22, and 30, Petitioner Jennifer Reinoehl (herein "Reinoehl") respectfully requests that the time to file her Petition for Writ of Certiorari in this matter be extended for 30 days up to and including June 6, 2023. This Court denied Reinoehl's Petition for *In Forma Pauperis* filing April 14, 2023. Absent an extension of time, the Petition for Writ of Certiorari would be due on May 8, 2023. Reinoehl respectfully petitions for a Writ of Certiorari to review the judgement of the United States Court of Appeals for the Seventh Circuit in this matter.

The date on which the Court of Appeals decided the case was October 25, 2022. A timely petition for rehearing was denied by the Court of Appeals on December 1, 2022. The jurisdiction of this Court is invoked under 28 U.S.C. §1254(1).

BACKGROUND

Despite 100 years of published scientific and U.S. military data showing cloth masks are ineffective at controlling disease and potentially dangerous and a general consensus among the scientific community of the same. In 2020, the Food and Drug Administration ("FDA") decided to "Authorize" cloth and other "non-medical" masks under Emergency Use Authorization ("EUA"), in violation of 21U.S.C. §360bbb-3(e)(1)(A)(ii)(III) because its employees received personal financial gain and achieved political motives from promoting cloth and non-medical masks.

Even though the FDA prohibited manufacturers from making claims the "non-medical" masks could prevent disease transmission, as soon as mask apparel was Authorized, the Centers for Disease Control and Prevention ("CDC") and Dr. Antony S.

Fauci began making claims that mask apparel *could* prevent disease transmission. State and local governments, such as those in Indiana began mandating cloth and “non-medical” masks for the prevention of disease in direct violation of the EUA and 21U.S.C.§360bbb–3(e)(1)(A)(ii)(III). In these mandates, the government agents and agencies nominally stated that businesses could allow exemptions for the medically disabled who could not wear masks. However, in all media publications, they portrayed those who could not wear masks because of disability as if they were uncaring, disease spreaders who were putting their loved ones at risk. Given free will by the state to make their own policies, Menard, Inc. (“Menard”), Beacon Medical Group (“Beacon”), Krispy Kreme Doughnut Corporation (“Krispy Kreme”), Sephora, and AMC Theatres all decided to enact policies that discriminated against the medically disabled in violation of the Americans with Disabilities Act (“ADA”).

Jennifer Reinoehl, petitioner, is a medically disabled person whose asthma and heart problems are exacerbated from wearing mask apparel. Her disabilities qualify her for protection under the ADA. She was forbidden from entering and enjoying public accommodations at AMC Theatres, Sephora, Menard, Krispy Kreme and government buildings without a mask. Unfortunately, Reinoehl was not the only person to suffer discrimination. She has heard similar stories from many other disabled persons.

After being subjected to discrimination and harassment, Reinoehl notified the entities involved but received no answer addressing her grievance. She filed a lawsuit August 18, 2021, with evidence supporting her claim pursuant to the Rehabilitation Act of 1973, Titles II and III of the ADA, 45 U.S.C.§ 46.116, 21 U.S.C.§ 331, 21 U.S.C.§ 360bbb, 28 U.S.C.§ 2201, 5 U.S.C.§ 7323, 42 U.S.C. § 1983, 5 U.S.C. § 702, the 1st, 4th 5th, and 14th

Amendments.

On February 16, 2021, the District Court dismissed the entire case with prejudice under Fed.R.Civ.P. 8(a)(2)(d), 12(f)(1), and 20(a)(2). March 11, 2022, Reinoehl filed her timely Notice of Appeal. The Court of Appeals upheld the District Court ruling on October 25, 2022. Reinoehl timely requested a rehearing en banc, that was denied December 1, 2022. Reinoehl timely petitioned this Court for a Writ of Certiorari and requested *In Forma Pauperis* status. This Court denied that status April 14, 2023, and ordered her to refile the Petition in booklet format according to Rule 33.1.

REASONS FOR GRANTING AN EXTENSION OF TIME

The time to file a Petition for Writ of Certiorari in booklet format should be extended for 31 days for the following reasons:

1. On April 14, 2023, the Court denied Reinoehl's *In Forma Pauperis* request. Reinoehl was given only 24 days to submit a Writ in 6-1/8" x 9-1/4" booklet format.
2. A person submitting something to the Court in the wrong format is generally given 60 days to correct the error under Rule 14.5.
3. Reinoehl attempted to comply with the Court's order and immediately upon hearing that the application was denied began reformatting the submitted 8-1/2" x 11" document into a 6-1/8" x 9-1/4" booklet format, which also required updating the page number references to the Appendices. It took her a week to do this.
4. Reinoehl contacted 5 different publishing companies for quotes on printing a perfect bound booklet. This took several days.
5. After selecting the cheapest bid, she attempted to upload the document and begin the process of ordering the bound copies—the upload was rejected by the company.

It took several days of phone calls and emails to discover the reason it was rejected was because Reinoehl had failed to check one box appropriately when uploading the document.

6. Although the company accepted her second upload of the document, she is now having difficulty placing the order for the booklets.
7. Reinoehl has not asked for or been granted any previous extensions of time to file the brief.
8. As all Respondents have already received a copy of the Writ in 8-1/2" x 11" format and none elected to respond to it, Reinoehl does not believe they will be prejudiced in any way by this extension of time.

WHEREFORE, Appellant, Jennifer Reinoehl, respectfully requests the Court grant Petitioner leave for an extension of time for 29 days up to and including June 6, 2023, to file a Petition for Writ of Certiorari in booklet format. Given the extraordinary facts and circumstances, as evidenced by her herein, good cause exists to grant a the Extension.

Respectfully submitted,



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CERTIFICATE OF COMPLIANCE

I verify that this brief contains 272 words according to the word count provided by Microsoft Office Home and Business 2019, excluding those portions exempted by Supreme Court Rule (33)(9). It was prepared in proportionally spaced typeface using Century Schoolbook 12-point font in accordance with Supreme Court Rule 33(b).



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PROOF OF SERVICE

I, Jennifer J. Reinoehl, do swear or declare that on this date, February 20, 2023, as required by Supreme Court Rule 29, I have served the enclosed APPLICATION FOR EXTENSION OF TIME on each party in the above proceeding or that party's counsel, and on every other person required to be served by depositing an envelope containing the above documents in the United States mail properly addressed to each of them with postage prepaid. The names and addresses of those served are as follows:

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 1, 2023**



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