

SEP 29 2023

No. _____

In The
Supreme Court of the United States

— ◆ —
KRISTIN GUARDINO,
Petitioner,

v.

JIM HART; SEAN H. MCCARTHY; JOHN EDDIE WILLIAMS, JR.; WILLIAMS,
KHERKHER, HART & BOUNDAS, L.L.P.; WKHB, LLC; WILLIAMS KHERKHER, LLC;
WILLIAMS BHE, LLC; WILLIAMS HBE, LLC; AND WILLIAMS HART BOUNDAS
EASTERBY, L.L.P.,

Respondents.

— ◆ —
**On Application for an Extension of Time
Within Which To File a Petition for Writ of Certiorari
To The United States Court of Appeals
for the Fifth Circuit**

— ◆ —
**APPLICATION TO THE HONORABLE SAMUEL A. ALITO, JR., AS CIRCUIT
JUSTICE FOR THE UNITED STATES COURT OF APPEALS FOR THE
FIFTH CIRCUIT**

— ◆ —
Kristin Guardino, J.D.
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For Petitioner, Pro Se

September 29, 2023

ORIGINAL

APPLICATION FOR EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant, Kristin Guardino hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Monday, December 4, 2023.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is No. 22-20278; *Kristin Guardino, v. Jim Hart; Sean H. McCarthy; John Eddie Williams, Jr.; Williams, Kherkher, Hart & Boundas, L.L.P.; WKHB, LLC; Williams Kherkher, LLC; Williams BHE, LLC; Williams HBE, LLC; and Williams Hart Boundas Easterby, L.L.P.* (June 5, 2023) (attached as Exhibit 1). The Opinion of the United States Court of Appeals for the Fifth Circuit was issued on June 5, 2023, (attached as Exhibit 2). The United States Court of Appeals for the Fifth Circuit denied Applicant's motion for rehearing on July 5, 2023, (attached as Exhibit 3).

JURISDICTION

The Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for writ of certiorari was due to be filed on or before October 3, 2023. In accordance with Rule 13.5, due to extraordinary circumstances this application is being filed *within* the 10-day period required for the filing date for the petition for writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Good cause exists for this application. Prior to filing this application, the Clerk advised Applicant by telephone that no motion for leave was required.

Applicant Kristin Guardino began a trial in Cause No. 2020-66024; *Catherine Roberts and Kristin Guardino, Individ., and as Representative of the Estate of Emma Wilkinson, Dec'd. v. Broadmoor; et al.*; In the 165th Judicial District Court of Harris County, Texas on September 15, 2023, before assigned Judge Caroline Baker, relating to the death of Kristin's mother due to a nursing home's refusal to transport her mother to an emergency room after a fall. The nursing home employees lied to Kristin about the fall, leading her to believe her mother was "fine," and then left Kristin's mother to bleed to death, unbeknownst to Kristin, who was at the time with her husband, a disabled vet, at an appointment with his hearing specialist. Kristin could have come to her Mother's rescue had she been told the truth about her Mother's condition, including that she had actually fallen several times – and not just rolled off her bed 12" from the ground without issue. The litigation was highly contested and the plaintiffs prevailed.

At the same time, Kristin was also set for trial on September 18, 2023, in Cause No. 19-06-07875 and *In Re: Carolyn S. Clark Irrevocable Living Trust; Flitsch, et al. v. Wilkinson-Guardino, et al.*, In the 457th Judicial District Court

of Montgomery County, Texas, before Judge Vincenzo Santini presiding.

Neither Judge Baker nor Judge Santini would reschedule their trials to accommodate the double setting although attempts were made. Additionally, Judge Santini allowed three separate lawsuits involving the same *res*, the same parties' intertwined claims and causes of action to be maintained in his court, subjecting the parties to multiple judgments with one party moving for yet another severance of the intertwined causes. On September 25, 2023, the Plaintiffs nonsuited all of their claims against Kristin Guardino, after four years of expensive litigation, without any payment whatsoever.

Kristin Guardino is a family member of the late John Allen Dixon, Jr., Chief Justice of the Louisiana Supreme Court, Ret., Dec'd. and her reputation, her property interests, and justice is of great concern to her. The current case making the basis of this motion involves an attorney who injected himself into a case where Kristin alone obtained a multi-million dollar jury verdict on behalf of a child molested by an attorney in Harris County, Texas and was then later convicted of federal pornography-related crimes. The respondents in this case made off with hundreds of thousands of dollars and all of Kristin's fees in that case and this litigation involves her attempts to hold the respondents responsible. Kristin's work involved 15 years of endless fighting for her client alone. No one contributed any work other than Kristin and no entity has determined that she is not entitled

to her fees.

The respondents' conduct in the litigation making the basis of this proceeding, including extortion, has prevented her from adequately protecting her interest in being paid for her work with serious negative consequences to her financially now and in the future as well as her ability to finance steps necessary to clear the scurrilous claims of poor conduct, of which she would never engage, made against her in order to obstruct her from practicing law and collecting her fees. While that tide is finally turning, the financial damage caused by the respondents here and damage to Kristin's reputation remains.

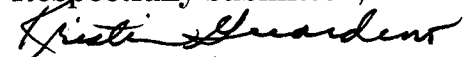
The endless frivolous litigation nonsuited when pressed to trial has interfered with Kristin's time and resources necessary to complete a well drafted petition in this case.

A 60-day extension will allow Applicant Kristin Guardino the necessary amount of time to effectively research and draft her petition for writ of certiorari with the end of finding justice and compliance with properly considered precedent and rules of law.

CONCLUSION

For the foregoing reasons, Applicant Kristin Guardino respectfully requests this Court grant an extension of time of 60 days, up to and including Monday, December 4, 2023, to file a petition for writ of certiorari in this case.

Respectfully submitted,



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