

No. \_\_\_\_\_

In The Supreme Court Of The United States

Call-A-Head Portable Toilets, Inc., Call-A-Head Corp., and Charles W. Howard,  
Petitioners

v.

New York State Department of Environmental Conservation and Basil Seggos,  
Respondents

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR  
WRIT OF CERTIORARI TO THE UNITED STATES SUPREME COURT**

**To the Honorable Justice of the United States Supreme Court:**

Petitioners Call-A-Head Portable Toilets, Inc., Call-A-Head Corp., and Charles W. Howard, request an extension of time to file their Petition for Writ of Certiorari. The Petitioners are seeking an additional forty-five (45) days or April 4, 2024. The denial of leave to appeal to the New York State Court of Appeals was entered on November 21, 2023 and the date Petition for Writ of Certiorari will expire is on February 19, 2024. This application is being filed more than ten (10) days prior to the due date.

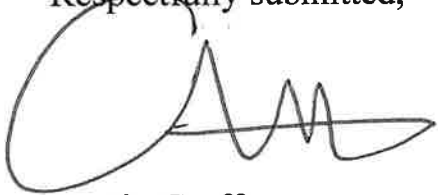
Attached to this Application is: (1) the decision of the New York State Supreme Court, Appellate Division: Second Judicial Department, 2019-10579, February 15, 2023 (Exhibit A); (2) the *sua sponte* decision by the New York State Court of Appeal to dismiss the appeal, SSD 18, April 20, 2023 (Exhibit B); and (3) the decision by the New York State Court of Appeals to deny leave to appeal, November 21, 2023 (Exhibit C).

The issue in this appeal is whether the Petitioner's Sixth Amendment Confrontation Clause right was violated when the Respondents found the Petitioner's guilty of three administrative charges based solely upon written testimony of a witness who the Respondents did not call to testify in the administrative hearing, refusing to provide the witness' last known address, did not testify in the administrative hearing and was therefore not cross-examined. There

are important questions of constitutional law which were determined adversely by the court below.

An extension of time is necessary because of unforeseen and uncontrollable events in the Petitioners' business and in the Petitioners' counsel's office, including COVID infections in the Petitioners' counsel's office.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Austin Graff', written over a horizontal line.

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