

**IN THE
SUPREME COURT OF THE UNITED STATES**

No. ____

ROMAN CATHOLIC ARCHDIOCESE OF SAN JUAN, PUERTO RICO, AND THE ROMAN
CATHOLIC DIOCESES OF PONCE, CAGUAS, MAYAGÜEZ, AND FAJARDO-HUMACAO,
PUERTO RICO; THE CATHOLIC SCHOOLS EMPLOYEES' PENSION TRUST

Applicants,

v.

YALÍ ACEVEDO FELICIANO, SONIA ARROYO VELÁZQUEZ,
ELSIE ALVARADO RIVERA, et al.,

Respondents.

**APPLICATION TO THE HON. STEPHEN BREYER
FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE
A PETITION FOR A WRIT OF CERTIORARI TO THE
SUPREME COURT OF PUERTO RICO**

Pursuant to Supreme Court Rule 13(5), the Roman Catholic Archdiocese of San Juan and the Roman Catholic Dioceses of Ponce, Caguas, Mayagüez and Fajardo-Humacao hereby move for an extension of time of 30 days, to and including December 15, 2018, for the filing of a petition for a writ of certiorari. Unless an extension is granted, the deadline for filing the petition for certiorari will be November 15, 2018.

In support of this request, Applicants state as follows:

1. The Supreme Court of Puerto Rico rendered its decision on June 11, 2018 (Exhibit 1) and denied a timely petition for rehearing on August 17, 2018 (Exhibit 2)¹. This Court has jurisdiction under 28 U.S.C. §1258.

2. This case involves an egregious overreach of secular adjudication over church governance that has authorized the seizure of every Catholic asset in the Commonwealth of Puerto Rico in the guise of compensating beneficiaries—teachers, employees, and former employees of various Catholic schools—of a now-insolvent pension plan. The Puerto Rico Supreme Court has improperly imposed massive financial liability on all Catholic entities through Applicants, the Roman Catholic Archdiocese of San Juan and the Roman Catholic Dioceses of Ponce, Caguas, Mayagüez and Fajardo-Humacao. In the commonwealth court’s view, all Catholic entities are “mere indivisible fragmentations of the Catholic Church with no legal personality of their own,” such that not only the various Catholic schools in the underlying complaint, but also all other Puerto Rican Catholic entities, are “responsible for continuing paying the pensions.” *See* Exhibit 1 (June 11, 2018 Op.) at 4, 15-16. While purporting to faithfully apply precedent and thereby maintain “the separation of Church and State,” *id.* at 13, the Puerto Rico courts’ unprecedented intrusion into church governance runs roughshod over core constitutional protections and is flatly inconsistent with the First Amendment.

¹ An informal translation of the order is included as Exhibit 2. A certified translation will be supplemented.

3. Between now and the current due date of the petition, Applicants' Counsel of Record, Pedro A. Busó-García has substantial briefing and oral argument obligations and trial matters, including pending depositions and drafting of dispositive motions. Also, the Applicants are translating several motions and papers filed in the Puerto Rico Supreme Court that must be filed in English.

4. Applicants thus request a modest extension for counsel to prepare a petition that fully addresses the important issues raised by the decision below and frames those issues in a manner that will be most helpful to the Court.

WHEREFORE, for the foregoing reasons, Applicants request that an extension of time to and including December 15, 2018, be granted within which Applicants may file a petition for a writ of certiorari.

Respectfully submitted,



PEDRO A. BUSÓ-GARCÍA

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November 2, 2018