

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

_____ Term, _____

ALDON SMITH,

Petitioner,

v.

ROBERT WILKIE, SECRETARY OF VETERANS AFFAIRS,

Respondent.

MOTION FOR ENLARGEMENT OF TIME TO FILE A
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEAL FOR THE FEDERAL CIRCUIT

TO THE HONORABLE JOHN G. ROBERTS, JR., CHIEF JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE
FEDERAL CIRCUIT:

Petitioner, Aldon Smith prays for a 60-day extension to file a Petition for Writ of
Certiorari in this Court to and including August 9, 2019, R. 13.5.

The decision the United States Court of Appeals for the Federal Circuit was issued on
March 12, 2019. Thus, Petitioner's time to file a Petition for Writ of Certiorari currently expires
on June 10, 2019.

A copy of the opinion below is attached. (Exh. A).

Jurisdiction of the Court is invoked under 28 U.S.C. § 1254(1).

This Motion is filed more than ten days prior to the above-referenced Petition's deadline.

R. 13.5.

As shown by the opinion below, this case presents an important question regarding application of this Court's decision in *Buckhannon Bd. & Care Home, Inc. v. W. Va. Dep't of Health & Human Res.*¹ to the Equal Access to Justice Act.

This case also presents another important question regarding "tactical mootings" as applied to the Equal Access to Justice Act.

Extension of time to file the Petition for Writ of Certiorari is requested because undersigned counsel has never appeared on behalf of a litigant before this Honorable Court and requires additional time to become more acquainted with this Honorable Court's rules; and to prepare Petitioner's petition towards this Court's just, accurate, and fair adjudication. Undersigned counsel became a member of this Court's bar on May 13, 2019. If this Motion is denied, irreparable prejudice will result to the Petitioner.

WHEREFORE, Petitioner respectfully requests that an order be entered enlarging time to file a Petition for Writ of Certiorari by sixty days.

LAW OFFICE OF MICHAEL STANSKI

/s/ Michael Stanski
Michael Stanski, Esquire
Attorney for Petitioner

¹ 532 U.S. 598, 601–02 (2001).