

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

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IN THE  
SUPREME COURT OF THE UNITED STATES

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YVES WANTOU,  
*Petitioner,*

---v.---

WAL-MART STORES, Texas, L.L.C.  
*Respondent.*

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*On Petition for a Writ of Certiorari to the United States Court  
Of Appeals for the Fifth Circuit*

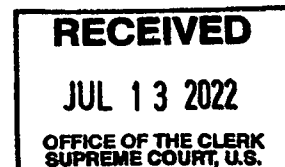
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**APPLICATION FOR AN EXTENSION OF TIME TO FILE PETITION FOR A WRIT  
OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH  
CIRCUIT**

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YVES WANTOU  
*Pro Se Petitioner*  
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To the Honorable John Roberts, Chief Justice of the United States Supreme Court:

Petitioner Yves Wantou (“Wantou”), respectfully requests a 60-day extension of time, up to and including Friday, September 16, 2022, in which to file a petition for a writ of certiorari. In support of this request, the undersigned states as follows:

1. On January 10, 2022, a split three-judge panel of the United States Court of Appeals for the Fifth Circuit affirmed the judgment of the United States District Court for the Eastern District of Texas. (Attachment A). Wantou filed a petition for rehearing en banc, which the Fifth Circuit denied on April 19, 2022.

(Attachment B).

2. Wantou has ninety days from April 19, 2022, in which to petition for a writ of certiorari. Sup. Ct. R. 13.3. The petition is therefore due on July 18, 2022. This application is being filed at least ten days before that date.

3. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

4. This appeal raises significant questions as to our nation’s antidiscrimination laws and statutes under 42 U.S.C. § 1981 and 42 U.S.C. § 2000e-2; and in particular on what constitutes a sufficiently remedial response by an employer to an employee’s complaint of illegally hostile environment, and on whether an employee so subject to an illegally hostile work environment bears the burden of perpetually complaining to his employer after the employer’s purported initial



response and purported remedial efforts failed; and perhaps most importantly whether it is the duty of the jury, rather than the court, to resolve the issue as to whether the employer's response was sufficiently remedial when there are disputed issues of material fact regarding the employee's response. The Fifth Circuit panel was split on these issues, as are the various circuit courts of appeals, reflecting the imperious necessity for this Court to provide peremptory guidance on said issues. Another very important issue raised by this appeal, and on which this Court's peremptory guidance would be imperious, is the issue of whether cat's paw theory analysis can be denied without viscerally vitiating and defeating the very purpose of antidiscrimination laws and statutes under 42 U.S.C. § 1981 and 42 U.S.C. § 2000e-2, in a case that fulfils the conditions edicted by this Court in cases such as *Staub v. Proctor Hospital*<sup>1</sup>.

5. Recent circumstances involving the undersigned's personal health and that of his family have significantly interfered with the undersigned's ability to work on a petition, including circumstances related to the pandemic. Since the Fifth Circuit's denial on the petition for rehearing en banc, the undersigned has suffered from repeated Covid-19 infections; and has had to be a caregiver to his ailing parents whose already very frail health has been exacerbated by repeated Covid-19 infections.

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<sup>1</sup> *Staub v. Proctor Hospital*, 562 U.S. 411 (2011)

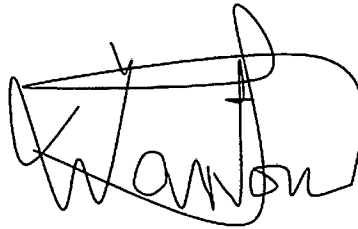


6. The requested extension of time is for 60 days, up to and including Friday, September 16, 2022. Sup. Ct. R. 13.5 (authorizing extension of up to 60 days).

For these reasons, the undersigned respectfully requests that an order be entered extending the time in which to petition for a writ of certiorari by 60 days, up to and including Friday, September 16, 2022.

Dated: July 5, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Yves Wantou', written over a horizontal line.

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