

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

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

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LARRY D. SAPP

v.

KIMBERLY FOXX  
(Cook County State's Attorney)

On Application for an Extension of Time to File Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Seventh Circuit

**APPLICATION FOR EXTENSION OF TIME TO  
FILE A PETITION FOR A WRIT OF CERTIORARI**

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**-CAPITAL CASE-**

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*Counsel for Petitioner*

## Rule 29.6 Statement

1. Larry D. Sapp is an individual with no parent company.
2. Kingdom Litigators International, Ltd., is the founder of a *pro bono* initiative to free slaves of the criminal justice system, suffering a “civil death”<sup>1</sup> called the Jubilee Process. The Jubilee Process Project does not own shares and is not a parent corporation in Kingdom Litigators International or Larry Sapp.

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<sup>1</sup> A “civil death” was officially defined and pronounced by the U.S. Commission on Civil Rights.

**TO THE HONORABLE AMY BARRETT ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE SEVENTH CIRCUIT:**

The Seventh Circuit Court of Appeals issued its final decision on July 3, 2024.

Petitioner has up to, and including October 3, 2024, to file a petition for a writ of certiorari for review of *Larry D. Sapp v. Kimberly Foxx*, 106 F.4th 660, 662 (7<sup>th</sup> Cir. 2024). This Court has jurisdiction pursuant to 28 U.S. Code § 1254. Pursuant to Supreme Court Rules 13.5, 22, and 30, Petitioner respectfully requests a 60-day extension of time, up to and including December 3, 2024,

1. This case presents a substantial and novel question of federal law affecting 70-100 million people, plus their families involving over 44,000 state and federal statutes. The question will be presented as a capital case, a “civil death” as defined by the U.S. Commission on Civil Rights.

2. The question presented is whether punishment disability statutes—without time limits—violate the Eighth Amendment’s Cruel and Unusual Clause. The district court held that Illinois’s forfeiture civil punishment statute of—the right to hold public office—was not a punishment under this Court’s *Kennedy v. Mendoza* seven-factor test. *Kennedy v. Mendoza-Martinez*, 372 U.S. 144, 83 S. Ct. 554 (1963).

3. Although no longer incarcerated, Petitioner Larry Sapp is a legal slave of the State of Illinois. He is seeking to enjoin Foxx’s, unrestrained, enforcement of debilitating civil punishment statutes without time limits until the governor issues a pardon, to free Mr. Sapp from the civil disabilities. “It has been generally stated

that a pardon “removes the penalties and disabilities (resulting from the conviction) and restores him (the defendant) to all his civil rights.” *People v. Glisson*, 44 Ill. App. 3d 108, 111 (1976), *aff’d in part, rev’d in part*. Without delay, good cause, in the interest of justice, exists to grant this extension. As the Seventh Circuit conceded, “By any measure, he [Mr. Sapp] has become a productive citizen and a respected member of his community.” *Sapp v. Foxx*, 106 F.4th 660, 662 (7<sup>th</sup> Cir. 2024).

4. In the lower court, the district court’s ruling directly conflicted with *Kennedy* which specifically agreed with the legislative position that “penalties known very well to the criminal laws of the country is the denial of the right of suffrage and the right to hold offices of trust or profit.” *Kennedy v. Mendoza-Martinez*, 372 U.S. 144, 172. (Ultimately, the Court determined that the [§ 401(j) of the Nationality Act of 1940, 58 Stat. 746, and § 349(a)(10) of the Immigration and Nationality Act of 1952, 8 U.S.C.S. § 1481(a)(10),] were punitive and as such could not constitutionally stand, lacking as they did the procedural safeguards that the Constitution commanded). *Kennedy v. Mendoza-Martinez*, 372 U.S. 144, 146 (1963).

5. Sidestepping the district court’s research oversight, the Seventh Circuit affirmed the district court, on separate grounds of *res judicata*, that the Petitioner’s federal challenge to these statutes was too close in time, origin, and purpose of the *quo warranto* removal proceedings. (Ex. A). In doing so, the Seventh Circuit impeded on the state chancery court’s decision, and magnified the procedural due process and substantive question of law, addressed in *Kennedy v. Mendoza*. 372 U.S. 144, 146 (1963). How much “time,” procedurally, must Petitioner and similarly situated

individuals, to exercise his right to run for local trustee? Indeed, Mr. Sapp attempted to run for office two additional time since his ouster in 2022.

6. Again, in the procedural context of the *res judicata* doctrine, or the Illinois civil punishment statutes there are no time-limits. (“Our conclusion is limited. We are not saying that Sapp is forever barred from challenging these statutes going forward. The passage of time may bring with it changed circumstances that alter the analysis under Illinois law.” *Sapp v. Foxx*, 106 F.4th 660, 668 (7th Cir. 2024)). The Seventh Circuit’s paradoxical statement is due to the procedural and substantive conflict under the Eighth Amendment’s Cruel and Unusual Clause regarding “time limits” or the lack thereof.

7. On July 18, 2024, a bitterly divided Fifth Circuit Court of Appeals, sitting *en banc*, in *Hopkins v. Hosemann*, concluded that Mississippi’s permanent felon-voting ban does not constitute punishments, and rejected a representative plaintiff class’s Eighth Amendment challenge. *Hopkins v. Watson*, 108 F.4th 371, 376 (5th Cir. 2024) (*Hopkins* was filed in 2018 by six Mississippi citizens who have been permanently disenfranchised pursuant to Section 241. *See Hopkins v. Hosemann*, 76 F.4th 378, 391 (5th Cir. 2023), reh'g en banc granted, opinion vacated *Hopkins v. Hosemann*, 83 F.4th 312 (5th Cir. 2023).

8. Petitioner’s Counsel represented petitioner through a new freedom process from America’s slavery justice system called the *Jubilee Process*, in the chancery proceedings, and through the present proceedings. The facts, political underpinnings, and legal procedures were complex spanning over years. Petitioner

faced vigorous resistance by Democratic State's Attorney, Kimberly Foxx.

9. Unfortunately, Petitioner's counsel was placed on emergency family leave due to unforeseen circumstances. Petitioner's Counsel must find additional co-counsel and educate the counsel regarding the underpinnings of the constitutional law, the procedural history, and case history dating back to 1800's on this novel question affecting one-third of the nation.

10. Petitioner's counsel also has an appeal deadline that requires new counsel on September 28, 2024, in *People of Illinois v. David Cocroft Jr*, 1-24-1701; 22-CR-0101201; a trial beginning October 16, 2024, in *State of Illinois v. Larry Lemons*, 22-CR-1078001.

11. The State's Attorney does not oppose this request for an extension of time.

Accordingly, the Petitioner respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari for 60 days, up to and including December 3, 2024.

Respectfully submitted,

Dated: September 20, 2024

/s/ Daniel A. Dailey

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## CERTIFICATE OF SERVICE

In accordance Supreme Court Rule 22.2 and 29.3, a copy of this application for extension was served via email and U.S. Mail on the following:

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