

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

IN THE SUPREME COURT OF THE UNITED STATES

LATAUSHA SIMMONS, Plaintiff-Appellant-Petitioner

v.

CITY OF SOUTHFIELD, MI, et. al

Defendants-Appellees-Respondents

Originating Case No. 23-1724 in the Sixth Circuit Court of Appeals

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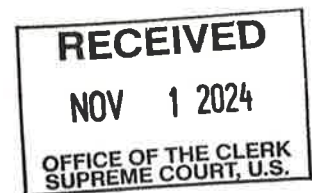
**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI**

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To the Honorable John Roberts, Chief Justice of the United States Supreme Court and Circuit Justice to the Sixth Circuit:

1. Plaintiff-Appellant-Petitioner, LaTausha Simmons, proceeds *in forma pauperis* and pursuant to Rule 13(5), 22, 30., and 30.3 Rules of the Supreme Court, respectfully seeks and timely had sought and an extension of time within which to file her petition for writ of certiorari in this Court from the denial of post-judgment by the Sixth Circuit Court of Appeals in case no. 23-1724. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). This application is and was submitted more than ten (10) days prior to the scheduled filing date for the Petition. See S. Ct. R. 13.5. Plaintiff-Appellant -Petitioner, received no response from Appellees-Respondents on her request. However, it has taken over **3 weeks to a month** for this Supreme Court Clerk’s Office to respond to Plaintiff-Appellant-Petitioner motion, (case number not listed on motion).

2. Therefore, Plaintiff-Appellant-Petitioner, LaTausha Simmons, proceeds *in forma pauperis*, factoring in the time for mailing and receiving a response from this Court, respectfully request the maximum time of a sixty (60) to ninety (90) day extension of time within which to file her petition for writ of certiorari in this Court from the denial of post-judgment by the Sixth



Circuit Court of Appeals in case no. 22-2052. This application is submitted more than ten (10) days prior to the scheduled filing date for the Petition. See S. Ct. R. 13.5.

The pertinent dates are:

a: September 17, 2024, issuance of written order of the denial of post-judgment of civil action (a federal action filed for violations of constitutional rights) dismissal of civil action in a matter involving the deprivation of property without due process of law by law enforcement officers in violation of the Fourteenth Amendment to the United States of America, and wherein the Michigan Federal Bureau of Investigation conducted investigations and issued charges against several City of Detroit, MI and other local law enforcement officers for an unlawful and illegal towing scheme which deprived owners of their recovered stolen vehicles, a towing scheme which deprived this Petitioner of her recovered stolen vehicle.

3. This case involves the denial of Appellant-Plaintiff's who is indigent and similarly situated indigent individual(s)' First Amendment's right to seek redress against the government and the Fourteenth Amendment Rights guaranteed protections from deprivations of property, under the United States Constitution, concerning her recovered stolen vehicle, which Appellant was denied by City of Detroit, MI police officers the right to report her vehicle stolen, denied possession of her vehicle once it was recovered by law enforcement officers in the City of Southfield, MI, and denied her federal constitutional right to claim and delivery of her recovered stolen vehicle by the federal district court.

As a result, Appellant Simmons was unlawfully penalized as an indigent individual with a dismissal of her federal civil action, for not receiving court documents during COVID pandemic US post office delivery delays, thus being unable to respond to such pleadings and penalized for trivial matters such as not having a telephone number or email address due to being indigent. Now currently, she is without any personal transportation of vehicle.

4. As such, this is a denial of Right to Seek Redress against the government under the First Amendment and Deprivation of Property under the Fourteenth Amendment to the United States Constitution, as to all indigent individuals and is Public Interest that Requires Expeditious Determination. Wherein, indigent individuals cannot not be denied due process in pursuing a Section 1983 action for the violations of their federal constitutional rights and deprived of their property, thrie vehicle which is their life and livelihood, by state actors under the color of law, for being indigent.

5. A plaintiff must be afforded plaintiff opportunity to be heard on question whether she was deprived of her property her recovered stolen vehicle under the Fourteenth Amendment; whether she was wrongfully denied claim and delivery of her recovered stolen property, her vehicle by the federal district court once her stolen vehicle was recovered; and whether her inability to respond to court documents due to COVID US post office delays caused her to never receive the documents was willful or in bad faith. *Trupei v. City of Lighthouse Point, 506 so. 2d 19 (Fla. 4<sup>th</sup> D.C.A. 1987)*.

6. Plaintiff-Appellant-Petitioner suffers from health issues, including but not limited to carpal tunnels in both wrists and other injuries, caused by excessive force from law enforcement. As a result of such, has caused delays and difficulties in drafting of her pleadings. Thus, she firmly believes these are compelling reasons to justify an extension of time is warranted.

7. As such, this case also involves, the exceptional public importance, *i.e.* the deprivation of life, liberty, propery, and the pursuit of happiness by law enforcement and other state actors under color of law, which is a violation of the Fourteenth Amendment to the U.S. Constitution.

8. An extension will not cause prejudice to Respondents.

For the foregoing reasons, the Plaintiff-Appellant-Petitioner, who is indigent, respectfully prays that this Court grant an extension of a maximum of sixty (60) to ninety (90) days and including on or before January 17, 2025 or thereafter, within which to file her petition for writ of certiorari.

Respectfully submitted, this the 23rd day of October, 2024.



/s/LaTausha Simmons  
LaTausha Simmons  
20500 Dean St  
Detroit, Michigan 48234  
Phone N/A  
Email N/A

#### CERTIFICATE OF SERVICE

I, LaTausha Simmons, certify that I have this day served the foregoing Motion for Extension of Time by first-class mail, postage prepaid, addressed to opposing counsel of record on this 25th day of October, 2024.

/s/LaTausha Simmons  
LaTausha Simmons

**AFFIDAVIT OF LATAUSHA SIMMONS, PETITIONER  
IN SUPPORT OF MOTION FOR EXTENSION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI**

STATE OF MICHIGAN)

)ss

COUNTY OF WAYNE)

I, LaTausha Simmons, deposes and states:

1. That I make this affidavit in support of the Motion for Extension of Time to File Petition for Writ of Certiorari. I have personal knowledge of the facts set forth herein and if called to do so, I could and would competently testify hereto.
2. I have needed assistance in drafting this affidavit and the pleadings.
3. I have read the pleadings, content, and affidavit presented.
4. I have submitted the attached affidavit.
5. That as Petitioner, I am proceeding Pro Se.
6. That the pleadings, content, and affidavit are truthful and accurate to the best of my ability, knowledge, information, and belief.

DATE: October 23, 2024

/s/LaTausha Simmons  
LaTausha Simmons