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From: **Trent Nelson** <trentnelson1426@gmail.com>

Date: Wed, Jan 29, 2025, 12:34 PM

Subject:

To: Trent Nelson <trentnelson1426@gmail.com>

24A751

ORIGINAL

Rule 13.5 : Asking the Court for an extension

- I am a pro se litigant, and was unaware of the decision on November 20, 2024. This document was uploaded to Page never received by mail.
- On December 12, 2024. I was verbally told this is My received date.
- Now that I'm aware the 90 day submission start on November 20, 2024, I'm asking for an extension.
- I am fully aware of the case merits and the significance of submitting the application correctly ; however, due to a physical disability, which effects my hand strength, I'm concerned that any mistakes could result in the clerk of court returning my application for correction.
- Therefore, I'm am requesting an extension of the deadline to March 18, 2025. This is a lot of information to absorb.
- I appreciate your attention to this matter.

FILED
JAN 29 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.

RECEIVED
JAN 31 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals**For the Seventh Circuit
Chicago, Illinois 60604**

Submitted November 20, 2024*

Decided November 20, 2024

BeforeFRANK H. EASTERBROOK, *Circuit Judge*THOMAS L. KIRSCH II, *Circuit Judge*JOHN Z. LEE, *Circuit Judge***CERTIFIED COPY**

A True Copy

Teste:

Deputy Clerk
of the United States
Court of Appeals for the
Seventh Circuit

No. 24-1211

TRENT NELSON,
*Plaintiff-Appellant,**v.*URSA MAJOR CORPORATION,
*Defendant-Appellee.*Appeal from the United States District
Court for the Eastern District of
Wisconsin.

No. 21-cv-0654-bhl

Brett H. Ludwig,
*Judge.***ORDER**

Trent Nelson, a truck driver who suffers from polyneuropathy and diabetic neuropathy, sued his former employer, Ursa Major Corporation, for violations of the Family and Medical Leave Act of 1993, 29 U.S.C.A. §§ 2601–2654, and the Americans with Disabilities Act, 42 U.S.C.A. §§ 12101–12213. The district court entered summary

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

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judgment against Nelson, concluding that no reasonable jury could find that Ursa violated his rights under either act. We affirm.

We begin with a word about this case's procedural background. At summary judgment, the district court accepted Ursa's version of the facts because Nelson failed to comply with Rule 56 of the Local Rules for the Eastern District of Wisconsin. *See Robinson v. Waterman*, 1 F.4th 480, 483 (7th Cir. 2021). He did not, for instance, file a brief in opposition to Ursa's motion for summary judgment, nor did he respond to Ursa's proposed statement of facts. We likewise rely on Ursa's factual narrative to the extent it is supported by admissible evidence. *See Gosey v. Aurora Med. Ctr.*, 749 F3d. 603, 605 (7th Cir. 2014). We do, however, present those facts in the light most favorable to Nelson, the nonmoving party. *See Moore v. W. Ill. Corr. Ctr.*, 89 F.4th 582, 590 (7th Cir. 2023).

Nelson was diagnosed with polyneuropathy and diabetic neuropathy before being hired as a truck driver for Ursa in 2017. He drove for the company 65 hours a week with the aid of an accessory knob on his steering wheel that helped alleviate symptoms. In mid-2019, Nelson, needing medical leave because of his condition, had a physician prepare a request that he be permitted to work limited hours and take intermittent leave over the next two to three months. From June 7 to August 11, 2019, Ursa permitted Nelson to take 48 days of unpaid leave. When he returned to work, his hours were reduced consistent with his doctor's recommendation.

Apart from his doctor's documented request, Nelson asked his manager to let him start work 90 minutes later every day so that he could exercise. Nelson's manager agreed, but Nelson says that his manager (and others) berated him for tardy arrivals, leading him to ask for his manager's approval in writing. His manager agreed to do so, but Nelson was fired later that day, before the notation could be added. Ursa justified Nelson's discharge on a pattern of driving mishaps and behavioral problems, including a collision with another trailer and complaints from a dispatcher about Nelson's angry outbursts.

Nelson then sued Ursa for violating the FMLA and ADA by unlawfully interfering with the exercise of his rights, retaliating against him, and failing to provide him with reasonable accommodations. *See* 29 U.S.C.A. §§ 2601–2654; 42 U.S.C.A. §§ 12101–12213.

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Ursa moved for summary judgment and notified Nelson of his right to respond to the summary-judgment motion and the consequences for failing to do so. *See* E.D. WIS. CIVIL L.R. 56(a)(1)(A)–(B). Nelson, however, did not file any response, leaving the district court to adopt Ursa’s facts and undisputed evidence, *see* E.D. WIS. CIVIL L.R. 56(b)(4), and conclude that Ursa accommodated Nelson’s condition and fired him for disciplinary reasons, not his disability.

Nelson’s brief on appeal recounts the deterioration of his medical condition and his version of events. We are mindful of Nelson’s status as a pro se litigant, but that does not excuse him from following the court’s rules. *See Pearle Vision, Inc. v. Romm*, 541 F.3d 751, 758 (7th Cir. 2008) (citing *McNeil v. United States*, 508 U.S. 106, 113 (1993)). Nelson also points to no evidence in the record calling into question the court’s conclusion that no reasonable trier of fact could find in his favor on any of his claims. For substantially the reasons stated by the district court, we affirm.

AFFIRMED