

[DATE]

Via ERE and
Via Facsimile: (703) 605-7101 and (703) 605-8021
APPEALS COUNCIL

Re: Claimant:
SSN:

REQUEST FOR EXTENSION OF TIME OF 60-DAYS TO FILE A FEDERAL CIVIL ACTION

To Whom It May Concern:

Claimant requests a 60-day extension of time from the date of her Appeals Council denial, which was October 8, 2020, to file a Federal Civil Action. The request for the extension of time is being made for the following reasons:

- (1) I represented the claimant at the administrative level, and at her hearing before ODAR. I believe that the claimant has a viable federal appeal. However, my office is unable to assist the claimant with federal litigation. The claimant required time to locate an attorney willing to accept the federal appeal. Locating an attorney took a substantial amount of time since there are not many attorneys who handle federal disability appeals. The case is currently under review by Konoski & Partners, P.C., located in Manhattan. This firm is expected to make a decision regarding representation soon. However, this firm needs additional time to complete the review of the case and review of the entire record to make a final decision can be time consuming.
- (2) Once review of the case file is complete, it will be necessary to obtain necessary documents from the claimant in order to initiate the federal appeal. This will take time since the documents must be mailed to and from the client. Moreover, the drafting and preparing of necessary documents to initiate a federal appeal (such as a complaint, summonses, civil cover sheet, application for a waiver of filing fees, and motion for admission *pro hac vice*), will also be time consuming. Additional time will be needed to initiate federal litigation.
- (3) Due to hardships and delays caused by COVID-19, additional time is needed to review the claim, as well as prepare and file a federal civil action for the claimant.

For the foregoing reasons, the Appeals Council should grant claimant's request for an Extension of Time to File a Civil Action due to the good cause set forth above, and in accordance with HALLEX I-3-9-92.

Sincerely,

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