

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of:

JAMES CHELMOWSKI)	
)	
Complainant,)	
)	Federal Communications Commission
v.)	Docket No. 14-260
)	File No. EB-14-MD-016
)	
AT&T MOBILITY LLC)	
)	
Defendant.)	

**MOTION FOR EXTENSION OF TIME
TO FILE NOTICE OF APPEAL and/or
A NOTICE OF APPEAL UNDER 47 U.S.C. § 402 and/or Rule 4 FRAP**

I move under 47 U.S. Code § 402 and/or Rule 4(a)(5) of the Federal Rules of Appellate Procedure for an extension of time to file a notice of appeal in this action. The Federal Communications Commission (FCC) Order was posted in the FCC docket on August 11, 2015¹, dated July 10, 2015 and sent to complainant James Chelmowski only by US First Class mail on July 13, 2015².

I would like an extension on filing any appeal to 47 U.S. Code § 402 and/or Rule 4 of the Federal Rules of Appellate Procedure deadline after final motion is ruled on by the FCC.

Currently, FCC is in possession of August 10, 2015³ Motion to Reconsider the FCC Dismissal for

¹ Exhibit 1

² Exhibit 2

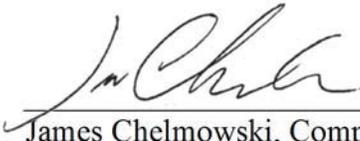
³ Exhibit 3

Section 415(b) the Communications Act of 1934 two [2] year statute of limitations for the December 11, 2014 complainant against AT&T Mobility LLC for violations of 47 CFR §§ 1.717, 53.35, 52.36 and Fraudulent Concealment Scheme. The Motion to Reconsider including but not limited to the grounds tolling doctrines fraudulent concealment and equitable tolling plus providing Truthful and Accurate Statements to the Commission [FCC] 47 CFR § 1.17 including extensive references of the documented evidence in the December 11, 2014 Complaint, January 16, 2015 Answer, January 26, 2015 Reply and FCC rules determination for this proceeding dated December 16, 2015. The defendant's fraudulent concealment scheme was detailed in the complaint and the reply with the FCC required factual support per 47 CFR §§ 1.720-1.726 and December 16, 2014 FCC specific rules of this proceeding.

This date August 17, 2015 for filing for an extension would be within the Rule 4 of the Federal Rules of Procedures however would be premature until the FCC ruling on outstanding Motion[s] including Motion to Reconsider filed on August 10, 2015.

I would like to respectively request the appeal deadline under 47 U.S. Code § 402 and/or Rule 4 of the Federal Rules of Appellate Procedures to be base off the date and/or service date of the Final Ruling by the FCC on Motions in this FCC proceeding.

Respectively submitted this 17th day of August, 2015.

By: 
James Chelmowski, Complainant
6650 N Northwest Hwy, #300
Chicago, IL 60631
847-768-0000

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

JAMES CHELMOWSKI)	
)	
Complainant,)	
)	Federal Communications Commission
v.)	Docket No. 14-260
)	File No. EB-14-MD-016
)	
AT&T MOBILITY LLC)	
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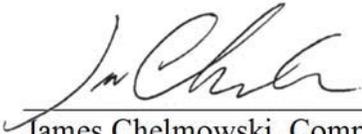
By: 
James Chelmowski, Complainant
6650 N Northwest Hwy, #300
Chicago, IL 60631
847-768-0000

Exhibit 1

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■ Proceeding Number is 14-260

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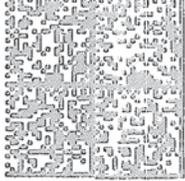
<u>Proceeding Number</u>	<u>Name of Filer</u>	<u>Lawfirm Name</u>	<u>Date Received</u>	<u>Date Posted</u>	<u>Exparte</u>	<u>Type of Filing</u>
EB 14-260	James Chelmowski View (18)		08/10/2015	08/11/2015	No	MOTION
EB 14-260	Enforcement Bureau Complaint is dismissed	FCC	07/10/2015	08/11/2015	No	OTHER
EB 14-260	Enforcement Bureau Letter Ruling	FCC	03/04/2015	03/04/2015	No	LETTER
EB 14-260	James Chelmowski View (32) View (79) View (33) View (110)		03/03/2015	03/03/2015	No	MOTION
EB 14-260	James Chelmowski 7th Circuit Court of Appeals - Vacate Arbitration (16)		02/19/2015	02/20/2015	No	COMPLAINT
EB 14-260	Enforcement Bureau Letter Ruling	FCC	02/06/2015	02/06/2015	No	LETTER
EB 14-260	James Chelmowski View (20)		02/03/2015	02/04/2015	Yes	NOTICE OF EXPARTE
EB 14-260	James Chelmowski Affidavits (60)		01/27/2015	01/27/2015	No	REPLY
EB 14-260	James Chelmowski View (131) View (100) View (100) View (109)		01/26/2015	01/27/2015	No	REPLY
EB 14-260	Enforcement Bureau Chelmowski v. AT&T	FCC	01/21/2015	01/21/2015	No	LETTER
EB 14-260	AT&T Services, Inc. View (7)		01/20/2015	01/20/2015	No	COMPLAINT
EB 14-260	AT&T Services, Inc. View (188)		01/16/2015	01/16/2015	No	COMPLAINT

<u>Proceeding Number</u>	<u>Name of Filer</u>	<u>Lawfirm Name</u>	<u>Date Received</u>	<u>Date Posted</u>	<u>Exparte</u>	<u>Type of Filing</u>
EB 14-260	 Enforcement Bureau Mandatory Electronic Filing of Certain Complaints Begins Today	FCC	01/12/2015	01/12/2015	No	PUBLIC NOTICE
EB 14-260	 Enforcement Bureau letter ruling (4)		01/08/2015	01/08/2015	No	LETTER
EB 14-260	 James Chelmowski Complaint Chelmowski v AT&T Mobility 1 of 3 (90) Complaint Chelmowski v AT&T Mobility 2 of 3 (15) Complaint Chelmowski v AT&T Mobility 3 of 3 (81) View (2)		12/11/2014	12/11/2014	No	COMPLAINT

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Federal Communications Commission
Washington, D.C. 20554

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



016H26513110
\$00.485
07/13/2015
Mailed From 20740
US POSTAGE

Mr. James Chelmowski
6650 N Northwest Hwy #300
Chicago, IL 60631

126

5069181307 0004



August 10, 2015 Motion to Reconsider



Mon 8/10/2015 3:27 PM

Jim Chelmowski <jchelmowski@comcast.net>

RE: Motion to Reconsider

To 'Lisa Saks'; 'Michael Engel'; 'FLEMMING, JACQUELYNE'; 'GOGGIN, MICHAEL P (Legal)'

Cc 'Jim Chelmowski'

Message Motion to Reconsider Final.pdf (331 KB) Confirmation Page 8-10-15.pdf (100 KB)

Dear Ms. Saks, Mr. Engle, Ms. Flemming & Mr. Goggin

Attached is a courtesy copy of Motion to Reconsider. This document was uploaded to the FCC docket 14-260 today.

Sincerely

James Chelmowski
6650 N Northwest Hwy
Chicago IL 60631
847-768-0000
jchelmowski@comcast.net

Service Receipt by FCC and AT&T besides electronically in the FCC docket 14-260

From Lisa Saks <Lisa.Saks@fcc.gov> Sent Mon 8/10/2015 3:38 PM
To Jim Chelmowski
Subject Read: Motion to Reconsider

Your message

To: Lisa Saks
Subject: RE: Motion to Reconsider
Sent: Monday, August 10, 2015 4:26:48 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, August 10, 2015 4:37:49 PM (UTC-05:00) Eastern Time (US & Canada).

From FLEMMING, JACQUELYNE <jw1196@att.com> Sent Mon 8/10/2015 3:28 PM
To Jim Chelmowski
Subject Read: Motion to Reconsider

Your message

To: FLEMMING, JACQUELYNE
Subject: RE: Motion to Reconsider
Sent: Monday, August 10, 2015 4:26:48 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Monday, August 10, 2015 4:24:11 PM (UTC-05:00) Eastern Time (US & Canada).

CERTIFICATE OF SERVICE

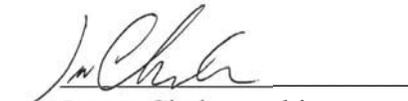
I HEREBY CERTIFY that on this 17th day of August, 2015, NOTICE FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL and/or A NOTICE OF APPEAL UNDER 47 U.S.C. § 402 and/or Rule 4 FRAP, was electronic sent by email and the FCC's electronic filing system to the Defendant.

Michael Groggin
AT&T
1120 20th Street NW
Washington, DC 20036
202.457.2055
michael.p.goggin@att.com

Counsel for AT&T Mobility LLC

August 17, 2015

Date


James Chelmowski
Complainant