

No. _____

THE SUPREME COURT OF THE UNITED STATES

BABOUCAR B. TAAL

Applicant, Plaintiff,

v.

ST. MARY'S BANK; RONALD COVEY; GREGORY ULIASZ; GILLIAN ABRAMSON,

Defendants, Appellees.

**Baboucar Taal's Application to Justice Stephen Breyer to
Extend Time to File Petition for Writ of Certiorari to
Review Judgment of the United States Court of
Appeals for the First Circuit**

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Bedford, NH 03110
603 471 9192

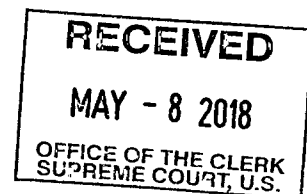


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SUMMARY

Applicant-Plaintiff Michael Lake respectfully asks Justice Stephen Breyer, as Circuit Justice for the United States Court of Appeals for the First Circuit, to extend the time for to allow me to file a petition for writ of certiorari. The current deadline for me to file a petition is Monday May 14, 2018, which is ninety days from Thursday, Feb 12, 2018, the date when the clerk of the First Circuit *said the First Circuit denied my timely filed petition for rehearing en banc, though I was sent a “mandate” letter I have yet to receive that order of denial from the clerk despite writing to request one. Applicant Taal here requests that the deadline be extended by sixty days, so that the new deadline would be Friday July 13, 2018.

BACKGROUND

This is a civil action involves claims brought under the **5th, 14th Amend Rights to Due Process**, Right to an Impartial Tribunal Clauses for these constitute Substantive Rights Guaranteed and Protected in these United States Constitution. Canons of judicial ethics and Federal statutes; **28 U.S.C. § 455(a)**, [states] “a judge **MUST** recuse him[her]self “**in ANY PROCEEDING in which his/her Impartiality might reasonably be questioned.**” As even in the federal court plaintiff’s case was being denied basic due process right to present his case to a jury of peers as impartial arbiter/finder’s of fact free of conflicts evident here. For, “the Due Process Clause entitles a person to an Impartial and Disinterested Tribunal in both civil and criminal cases.” Marshall v. Jericho, 446 U.S. 238, 242, 100 S. Ct. 1610, 64 L. Ed. 2d 182 (1980). Indeed, “it is axiomatic that ‘[a] fair trial in a fair tribunal is a basic requirement of due process.’” Caperton v. A.T. Massey Coal Co., 556 U.S.

868, 129 S. Ct. 2252, 173 L. Ed. 2d 1208 (2009) (quoting In re Murchinson, 349 U.S. 133, 136, 75 S. Ct. 623, 99 L. Ed. 2d 942 (1955))

Applicant/Plaintiff's

ARGUMENT and FACTS OF THE CASE

Recognizing that an extension of the time for the filing of a petition for writ of certiorari requires good cause and that requests for extensions of time are not favored, I here respectfully asks Justice Breyer, as Circuit Justice for the First Circuit, to extend the time for to file a petition for writ of certiorari. As the granting of this requests for the deadline be extended by sixty days, so that the new deadline would be Friday, July 13, 2018, allows me to file a comprehensive yet concise petition for writ that has a chance for the granting of certriorari that basically affirms a [United States] **citizen's right to a free and fair adjudication of his/her claims before an impartial tribunal [trier of facts] for wrongs done on him and his property**, regardless of who is/are the defendants. Equal justice for All, Nobody is above the Law for justice is blind To establish good cause for his request, I here briefly summarize the case's factually history in favor of extending the deadline.

By way of brief history: Taal v. Uliasz 1:13-cv-00545-JD, and Taal v. Uliasz 1:14-1255 No. 14-1255 (1st Cir 2014) before CJ Lynch, Tourella and Howard Circuit Judges. J Howard finally Recusing with Tourella to follow:

1)On October 2, 2013 a hearing was held before defendant state j. Abramson on a 'motion for contempt' complaint filed by defendant atty Uliasz for St Mary's Bank initiated by Ronald Covey. On the "... **fabrication of evidence by ... an attorney is implicated.** Rozier v. Ford Motor Co. Defendant Ronald Covey, St Mary's Bank and their atty, Uliasz orchestrated a false and fraudulent claim of violation of illegal "ex parte restraining order" on false pretense using a United State Court proceeding/ Tribunal to continue to harass and intimidate with artifice to defraud plaintiff before a biased,

conflicted and broke [NH] state 'actor' court judge Abramson

2) Even as the same defendants' Covey, St Mary's and Uliasz are pursuing this fraudulent claim before defendant Abramson, the 3 defendants then provided the very Payment History, Accounting and Escrow disposition they had Refused to provide us for 2 years, prior to the "2nd request for payment history..." letter dated July 29 2013. Yet defendants concoction and conspiracy to defraud us continued with repeated false claims of past due/late 'Notices'. They found their "forum" in 'state actor' Abramson courtroom. Despite plaintiff's motions for her recusal and complaint to the NH JCC for her outright biases but her relationship with Ovide Lamontagne, her family's relationship with St Mary's and Tax problem. She too saw her opportunity to retaliate against the Taals. As a judge is not the court, or 'protection racket'.

3) As Judges Lynch, Tourella and Howard's Sept 4, 2014 Order stated "... conspiring with a state judge to abridge Constitutional Rights could suffice for state action" and McCloskey is henceforth satisfied. As this one too being a unmistakable acts of fraud artifice to defraud using the state court system. This October 2, hearing was a full 6 months when defendant Abramson dismissed plaintiff's case against St Mary's Bank for the 2nd time, while the case was on an interlocutory appeal as St Mary's and the name defendants indicate they Will not abide by plaintiff's Discovery Request. The very NH Supreme Court may well have thought or hope Lamontagne was going to be Governor, Not. Even after the NH Supreme Court reversed j Abramson on just the basic Facts and Law of the case defendants St Mary's, Covey, and Uliasz before state actor Abramson Refused to allow plaintiff's case to follow the simple process of adjudication in a court/tribunal in the United States.

4) The reason for the 2nd dismissal order was because plaintiff Taal sought Interlocutory appeal as they continue to provide Requested Discovery pre NH Superior Court Rules on Discovery and identified witnesses failing to avail themselves for Discovery as in this federal case on advice of defendant Uliasz. Defendant Abramson's dismissal of plaintiff's case for the 2nd time as he

await the NH Supr Ct order on the continuing and wilful Denial of Requested Discovery in an Ongoing [NH state, in USA] case was also a clear wanton violation of Rautenberg 107 NH 446, 447(1966) as I was again, in a wilful continuously pattern and conspiratorially to Obstruct Justice and Deprivation of Due Process Rights and Equal Protection.

5) As in any court proceeding/tribunal within the United States (fraudulent or otherwise) the accused has Absolute Right provided in Due Process Clause to not only face his accuser but able to question him/her in an open court before an Honest Impartial Disinterested without pecuniary motives arbiter of facts in law. And where the manipulated end result could result lost of freedom, even the NH Constitution states, the accused must be provided counsel. I was deny that right and threats up until this past June 13, 20116

6) The supposed violation of the “ex parte restraining order” was as a result of St Mary Bank Refusing to provide to plaintiff and his spouse their Yearly, Escrow Accounting and Projections, Monthly Mortgage Statements a federal provision per RESPA. As NH RSA **643:1 Official Oppression** states– A public servant, as defined in RSA 640:2, II, is guilty of a misdemeanor if, with a purpose to benefit him[her]self or another or to harm another, he knowingly commits an unauthorized act which purports to be an act of his office; or knowingly refrains from performing a duty imposed on him by law or clearly inherent in the nature of her office. So Abramson use her office to threaten and harass plaintiff for that request, Federal RESPA Law said we are not only entitled to but when we make that Request, the institution was Legally Obligated to Provide but now I/we are under threat of as state actor/defendant Abramson put it in her “*any further violation of this Court’s Order will result in a show cause hearing regarding Baboucar Taal’s incarceration*”. Abramson Oct 18,2013 order.

7) This at the time St Mary’s Bank continuously sent us false and fraudulent Late/Past due ‘Notices’, and as it turn out building a RICO narrative with fraudulently acts and conspiracy to foreclose on our homestead as illegal Retaliation for appellant seeking redress for the wrong done on him and his

family's property; failure to dispose the RV collateral given to said bank. Bankr. J Deasy's Order that "the [St Mary's] Bank shall compute the balance due on the Note as of the Petition Date and provide an accounting of all payments and the application of such payments to Debtor's counsel before February 23, 2015" *See App A*

8) Facts also further evidence that St Mary's management under the direction of defendant Covey willfully took 4 full mortgage payments (payments that includes Insurance and taxes to be escrowed) and directly applied them to principle to falsely create an Escrow shortfall as St Mary's Refused to provide us yearly Escrow Accounting and Projection for 2 years. It's was until appellant's spouse was forced into Bankr too that a J Deasy looking at the facts ordered St Mary's on Jan 22, 2015 to recalculate the balance and apply "all" the payments correctly.

9) This "ex parte restraining" order defendant Abramson issued against plaintiff in Taal v. St Mary's Bank (2011-CV-741) was "simply" for seeking Discovery in an ongoing case in a NH state court against a "state chartered credit union" with pecuniary connections. She was engaging quid pro quo with the off chance that Lamontagne would be elected Governor, and yes the same Lamontagne she had a relationship with as they worked for same Steve Merrill then Governor of NH in 1990s. This 'ex parte restraining order included an Ovide Lamontagne who had just been released from his duties as St Mary's Bank chairman, and was seeking the corner office of the state of NH, heavily indebted to St Mary's. It must be said also that at the very time of defendant Abramson's orders favoring St Mary's Bank and its management, she and her family's house, the Town of Bedford had levied a tax lien for failure to and she could not pay her taxes for 2+ years and was about to be auction. But all of sudden paid off.

10) Uliasz also had a Federal Tax lien of \$50,000 + for Tax fraud and St Mary would go on to pay Uliasz \$400,000, far in excess of our mortgage balance, a for kickback scheme we contend and intend to prove to a jury. Uliasz would go on to file another "2nd Emergency Motion for Contempt"

before defendant j Abramson, and this time for the Bedford Police Dept investigation of his fancy for 14 year olds, and that I am in contempt??? Federal J Declerico **misinterpreted** a “fraud on the court” proceeding that defendants Abramson, Uliasz and St Mary’s Bank and its management engineered and engaged in, to mean that Younger abstention is warranted when there was NOT (1) “an ongoing state judicial proceeding, NOR (2) implicates important state interests, and NOR (3) . . . an **adequate opportunity to raise [federal] challenges.**” was provided. How then? when it’s the very federal court that is saying you CANNOT be allowed to proceed for the **embarrassment** or prosecution for **misprision, fraud on the court.**

11) Rather just the Facts that J Declerico was Fully aware of the culprits/ participants; vis a vis Abramson, Lamontagne and CJ Howard extensive Relationships (while failing to Recuse despite obvious Conflict of Interest. J Declerico knew who these persons are and how defendant Abramson’s rulings for Ovide Lamontagne and St Mary’s Bank is Rife with Conflicts of Interest and blatant “Fraud on the Court” as he knew J Howard was the NH attorney general when the two had a relationship and worked for Merrill. For J Declerico “cut his judicial teeth” in the same NH Attorney General’s Office. When J Declerico failed to incorporate and or do indepth review, these very facts for in his mind he was thinking of how it would look. And that J Howard became among the 1st Circuit panel to “Review” the case and chose not to Recuse, but in their order state ‘any and all’ reasons to affirm, to not embarrass the aforementioned, thus J Declerico was shielding and protecting

12) And now also J McCafferty was force to rule for St Mary’s with claims that J Declerico was right. Right about what, when the facts not only evidence and support plaintiff/appellant’s assertions in his complaint but set forth by said 3J panel in their Sept 4, 2014 Order. “..conspiring with a judge ...” In the course of these cases and closer look at St Mary’s Bank ability to skirt both state Banking laws and flout state and even federal laws we discover evidence that said credit union have engaged in mortgage fraud to cover money laundering to cover tax evasion by its executives and a similar schemes

to “friend of angelo” in recent past. That may well explain the bank brazenness, as that would have sent many an execs to jail but this is NH.

13) As expected both defendant’s Abramson and Uliasz would unabatedly continue to flouting various ethical rules/canons [as she continued to rule for St Mary’s against plaintiff while ‘conflicted’ even as case was on appeal at NH Supr Ct and she wantonly violated Rautenberg for what she owe St Mary’s and her relationships, even as the NH JCC warned her, biases evident yet she threatens incarcerating plaintiff, for seeking St Mary’s accountability. Uliasz with his brazenness, falsity with utter disregard to the truth, fact and law suborned perjured false filing testimony of Rita Emerson, submitted False billings of Kath Marquis both refused to adhere and avail themselves on served subpoenas for Deposition and production of documents. On the advice of defendant Uliasz, a clear wanton violation, Bells, Bound, Kelly, Rozier interfering with plaintiff’s Right to Discovery, solicitation of perjury, witnesses tampering to continue to Obstruct the course of Justice and Reckless disregard to the facts and truth with impunity. As he also claims to be attys for all witnesses and all other defendants but state actor Abramson.

14) Abramson manipulated the NH Superior Court roster and docket order the Clerk [witness Scanlon] to change and issue orders yet hide the judge’s name, when is supposed to Recuse from the case as this Federal case is filed. A 28 USCS Sec. 455 violation. Made state j Rouff make an outright False statement in court a violation of 643:3 As the continuation of the case and the contempt of court charge the biggest farce yet in NH state court everyone owes St Mary’s bank. The “contempt of court” fines that was outright Felony Grand Larceny, “fraud on the court”, done as coercion, harassment and artifice to defraud. As everyone in and out of the case Knew of J Howard’s CONFLICT OF INTEREST as he REFUSED to RECUSE until [now] setting forth everything else. Defendants’ Covey, St Mary’s, ULIASZ and Abramson ALL have judicial ‘Backstopper’ in CJ Howard. This not only is any end run to what is American Jurisprudence but makes a **Mockery of our laws and the courts**. For is Not the courts nor should the actions of a

judge(s) be allowed to bring Disrepute or Interfere with fundamental Impartial functions of our [American] Justice system. As evidence and facts were disregarded and law usurped for pecuniary motives for the connected in a concerted effort by defendants and their aiders and abettors in the courts.

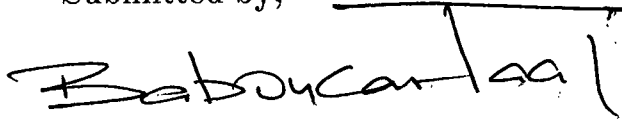
15) Evidence also showed that plaintiff's Constitutional Rights in NH are meaningless, for he was Deprived and Denied Due Process and Equal Protection Rights. As "a conspiracy to obstruct an individual's legitimate efforts to seek judicial redress for such a claim interferes with the individual's Due Process Right of access to the courts". Bell, 746 F.2d 1261

CONCLUSION

For these reasons, plaintiff Taal here respectfully asks Honorable Justice Breyer, as Circuit Justice for the First Circuit, to extend the time to file a petition for writ of certiorari. I pray that this requests be granted and the deadline be extended by sixty days, so that the new deadline would be Friday, July 13, 2018.

Dated May 1, 2018.

Submitted by,

A handwritten signature in black ink, appearing to read "Baboucar B Taal", written over a horizontal line.

Baboucar B Taal, Applicant/Plaintiff *Pro Se*

Attch:

**UNITED STATE COURT OF APPEALS
FOR THE FIRST CIRCUIT**

BABOUCAR B. TAAL, Plaintiff - Appellant)
V.)
GREGORY T. ULIASZ ET AL,)
ST MARY'S BANK)
RONALD COVEY Defendants - Appellees)
GILLIAN ABRAMSON)

DOC. No. 17-1228

Margaret Carter, Clerk
US 1st Cir. Court of Appeals
1 Courthouse Way, Suite 2500
Boston, MA 02210

March 28, 2018

Dear Ms Carter,

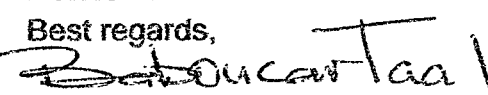
1. On March 26 I, appellant in the above mentioned case received a "Mandate" sign by you as the Circuit Clerk, with a date "Entered: of March 22, 2018" I inquired (phones calls and messages left for the case clerk: a Christine Prey...) to no avail, another intake clerk stated that a decision on my Filed/Received Motion [at the Clerk's (your) Office] for Rehearing En Banc was already issued by the court. I, appellant was Never sent a copy of that Order!

2. I as the appellant was Never provided said order from the court as the judges that Decided To/Not Accept and or Review this Motion provided in Federal Appellate Rules of Procedures. As these conflicting dates affects appellant tolling for seeking US Supreme Court certiorari

3. On June 14, 2017, the assigned 3j panel was: **Circuit Judges Barron, Kayatta and Torruella**, to Taal v. St mary's et al, your office changed and/or allowed for this 3j panel to be re-constituted to then include CJ Howard who had Recused himself for his conflicts of Interest with multiple defendants and witness[es] and admitted wanton violation of appellant's federal Rights in his 1st Circuit appeals [14-1255, 01-16-90034, 28 USC §455(a)] **Why was this changed or allowed to and by whom?**

Please Clarify and Provide Answers to these 3 issues and why the departures from federal Norms when it came to a case that the Chief Judge continue to be interested.

Best regards,


Baboucar Taal Pro Se Plaintiff - Appellant
59 Essex Road, Bedford, NH 03110

Cc:

(1)

United States Court of Appeals For the First Circuit

No. 17-1228

BABOUCAR B. TAAL

Plaintiff - Appellant

v.

ST. MARY'S BANK; RONALD COVEY; GREGORY ULIASZ; GILLIAN ABRAMSON

Defendants - Appellees

MANDATE

Entered: March 22, 2018

In accordance with the judgment of February 12, 2018, and pursuant to Federal Rule of Appellate Procedure 41(a), this constitutes the formal mandate of this Court.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Nancy J. Smith
Baboucar B. Taal
Gregory T. Uliasz

(12)

United States Court of Appeals For the First Circuit

No. 17-1228

BABOUCAR B. TAAL,

Plaintiff, Appellant,

v.

ST. MARY'S BANK; RONALD COVEY; GREGORY ULIASZ; GILLIAN ABRAMSON,

Defendants, Appellees.

Before

Howard, Chief Judge,
Torruella and Thompson, Circuit Judges.

JUDGMENT

Entered: February 12, 2018

After carefully reviewing the briefs and record on appeal, we affirm.

We review *de novo*. See Estate of Bennett v. Wainwright, 548 F.3d 155, 162 (1st Cir. 2008).

Appellant fails to develop any arguments addressing the dispositive issues and waives review. See United States v. Zannino, 895 F.2d 1, 17 (1st Cir. 1990). He develops no argument that the district court erred in dismissing claims against the state court judge on the ground of absolute judicial immunity, or in dismissing claims against the remaining appellees due to *Younger* abstention. See Sirva Relocation, LLC v. Richie, 794 F.3d 185 (1st Cir. 2015); Cok v. Cosentino, 876 F.2d 1, 2 (1st Cir. 1989). His speculations and conclusions do not rise to the level of appellate argument. Similarly, his conclusory averments below were insufficient to survive dismissal. See Ashcroft v. Iqbal, 556 U. S. 662 (2009).

Appellant's new arguments and claims are not properly before this court. See B & T Masonry Const. Co. v. Pub. Serv. Mut. Ins. Co., 382 F.3d 36, 40-41 (1st Cir. 2004).

Affirmed. First Cir. Loc. R. 27.0(c).

(13)

United States Court of Appeals For the First Circuit

No. 17-1228

BABOUCAR B. TAAL,

Plaintiff, Appellant,

v.

ST. MARY'S BANK; RONALD COVEY; GREGORY ULIASZ; GILLIAN ABRAMSON,

Defendants, Appellees.

ORDER OF COURT

Entered: February 7, 2018

Insofar as the Appellant's brief might be construed as seeking the recusal in this appeal of Chief Judge Howard, Judge Torruella or Judge Lynch, we deny the requests for recusals. Bald accusations of bias and conspiracy do not warrant recusal.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Baboucar B. Taal

Gregory T. Uliasz

Nancy J. Smith

(4)