

Pet Cert from 11th Cir #17-13253 request for 60 day extension.

Hello Mr. Atkins, Mrs Blalock

First please excuse this crude request and lack of a better form, however, I am in a bad position with losing my residence, have crashed my laptop hard-drive and must make every procedural necessity to secure my appellate concerns from the above referenced. Please find enclosed the mandate with a date of Feb 23rd, which is quickly approaching. I currently do not have any other communication means aside from ECF & Email, as I do not have an address while I endure other legal difficulties.

Yes, I understand that typically a 10 day lead is needed, however, I could not have predicted this incident any sooner. To make a *prima facia* showing of the importance of the Petition I would like to submit, here are the 8 questions I asked the 11th Circuit to Certify under Rule 19, but did not.

Rule 19: Procedure on a Certified Question 1. A United States court of appeals may certify to this Court a question or proposition of law on which it seeks instruction for the proper decision of a case. ... 2. When a question is certified by a United States court of appeals, this Court, on its own motion or that of a party, may consider and decide the entire matter in controversy.

QUESTIONS PRESENTED

1. Under Roe and Casey's "Age of Viability" holding that limits a timeframe for a mother's right to chose; if after expiration of that holding; whether by Legislative law or SCOTUS rule;

The question is:

—Does a "person" exist, an "unborn-child" exist under the 14th Amendment which deserves protection from injury and/or have a legal right in a court of law under Fed R. Civ P. Rule 17(a), *Ubi Jus Ibi Remedium*?

2. If Georgia has enacted two laws: (A)defining criminal conduct of "Feticide; voluntary manslaughter of an unborn child"(O.C.G.A § 16-5-80) and (B) defining "When abortion is legal; filing of certificate of abortion by performing physician" (O.C.G.A. § 16-12-141) holding (i) "Age of Viability" and (ii) "Fetal Pain" as compelling reasons for enacting the latter legislation.

The question is:

—Does this correlative language between statutes, working in concert, create a liberty interest under the US Constitution thereby allowing an unwed biological father a protected 1st, 9th, 14th Amendment Right to be a decision maker and to act in the best interest of his unborn child?

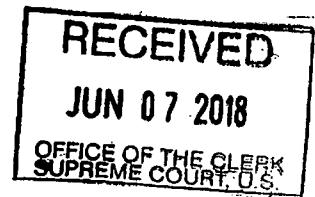
3. In *Sessions v. Morales-Santana*, 582 U.S. (2017) this court held "[t]he gender line Congress drew is incompatible with the Fifth Amendment's requirement that the Government accord to all persons 'the equal protection of the laws'"

The question is:

—Does Georgia's O.C.G.A. § 19-7-22 (Legitimation statute) survive under a similar Constitutional theory of Gender Inequality for unwed biological fathers, when this Court's 1st and 14th Amendment jurisprudence has long held biological interest is inclusive, only severed for just cause and must be severed via Due Process?

4. Does Title 19, Ch.7, Art.2 of Georgia Code survive constitutional scrutiny under *Troxel*; when an unwed biological father has no legal parental rights upon paternity confirmation and maternal grandparents have a greater legal interest?

5. Does Title 19, Ch.7, Art.2 of Georgia Code survive Constitutional scrutiny under Bills of "Pains and Penalties" analysts when the unwed biological father must endure a greater challenge to exercise parental rights, be a decision maker under *Troxel*?



6. Under totality; (i) *Yick Wo v. Hopkins*, 118 US 356,370 (1886), (ii) *Haines v. Kerner*, 404 US 519 (1972), (iii) *Owen v. City of Independence*, 445 US 622 (1980), (iv) *Leatherman*, (v) PLRA, (vi) *Rotella v Woods*, 528 U.S. 549 (2000), (vii) concerted *Twombly/Iqbal* standard, (viii) *Jones v. Bock*, 549 US 199 (2007).

The question is this:

—Do amorphous & arbitrary inferior Article III environments present insurmountable obstacles towards meritorious in pro-per/pro-se/sui juris Access To Courts causing censorship of Petitioning rights, abridgment of unalienable pursuit of liberty and happiness thereby causing cascading irreparable injury of a Constitutional magnitude when seen through this Courts Access holdings in *Christopher v. Harbury*, 536 U.S. 403 (2002) ?

7. If “We the People” delegated power to Congress for governing; namely, to apply uniformly under the Enclave Clause (US Const Art I, § 8, ¶ 17) and/or to stretch as “necessary & proper” under the Elastic Clause (US Const Art I, § 8, ¶ 18) across all Districts, Circuits of Article III power..

The questions are:

—A. Does “28 U.S. Code § 2072” survive scrutiny under Non-Delegation and/or Separation of Powers in either of two actions: 1st: Art. I to SCOTUS, 2nd: from SCOTUS to inferior court for local rule-making where there exists impermissibly vague discretion, in contrast to this Court criminal rulemaking viewpoint in *Mistretta v. US*, 488 U.S. 361 (1989).

—B. Does “28 U.S. Code § 2072” fail or water-down Congress’ checking powers by legislation and deprive Equal Protection, Equal Application of the laws, creating arbitrary environments...ie Whether “We the People” have a Constitutional interest to demand/enforce consistency of Article III powers, a “branding” of Federal Rules set forth from Congress or this Court does the Union persist in a lawless unbranded avant garde Federalism in such inferior courts as the Congress may from time to time ordain and establish.”

8. In *United States v. Jackson* 390 US 570 (1968), this court stated, “If a law has ‘no other purpose...’ than to chill the assertion of constitutional rights by penalizing those who choose to exercise them, then it [is] patently unconstitutional.”

The questions are:

—A Does the PLRA and 28 U.S. Code § 1915 when seen through PLRA pass scrutiny as tested through facets of Non-Delegation, a “bill of pains & penalties” when 1st Amendment Liberties are frozen, “papers & effects” are seized in a dragnet for screening ?

—B Does the PLRA affirmatively chill the Petitioning rights of Prisoners and by 11th Circuit Legislation, chill petitioning by free US Citizens

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