

App. No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

DR. LAKSHMI ARUNACHALAM,

Petitioner,

v.

PAZUNIAK LAW OFFICE, LLC, ET AL,

Respondents,

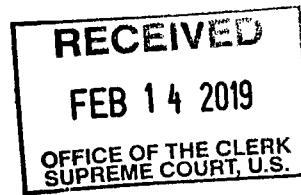
**ON APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A
WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF
DELAWARE**

***PRO SE PETITIONER'S APPLICATION TO EXTEND TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI***

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Pro Se Petitioner
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Dated: February 11, 2019



**PRO SE PETITIONER'S APPLICATION TO EXTEND TIME TO
FILE A PETITION FOR A WRIT OF CERTIORARI**

To the Honorable John G. Roberts, Jr., Chief Justice of the Supreme Court of the United States and Circuit Justice for the Supreme Court of the State of Delaware:

Pro Se Petitioner Dr. Lakshmi Arunachalam (“Petitioner” or “Dr. Arunachalam”) respectfully requests that the time to file a Petition for a Writ of Certiorari in this matter be extended for sixty days (60) days to and including May 18, 2019 (if considered from the Delaware Supreme Court’s Order dated December 18, 2018) or at least until April 28, 2019 (if considered from the Delaware Supreme Court’s Order dated November 29, 2018). The Supreme Court of the State of Delaware (“Delaware Supreme Court”) issued its Order on November 29, 2018 (*see* Ex. A) and an Order dated December 18, 2018, denying Petitioner’s Emergency Motion for Extension of Time until January 20, 2019 to File Motion for Rehearing *En Banc* Due to Surgery (Ex. B). Absent an extension of time, the Petition would therefore be due on February 28, 2019 if considered from the Delaware Supreme Court’s Order dated November 29, 2018, and would be due on March 18, 2019 if considered from the Delaware Supreme Court’s Order dated December 18, 2018. *Pro Se* Petitioner is filing this Application at least ten days before that date. See S. Ct. R. 13.5. This Court would have jurisdiction over the judgment under 28 U.S.C. Sec. 1254(1).

BACKGROUND

Petitioner filed the Appeal in the Delaware Supreme Court from the underlying Delaware State Superior Court Case as a *Traverse Special* against the entire (*false*) processes, proceedings and Orders of the Delaware Superior Court Case No. C.A. N14C-12-259-EMD, transferred from the Delaware Court of Common Pleas Case No. CPU4-14-002727. This is a no-claim case, in which Plaintiff George Pazuniak *et al* (“PAZUNIAK”) committed overt offenses, aided and abetted by Judge Davis, causing this to become a criminal case.¹

The Delaware State Superior Court rendered several Orders denying due process to Petitioner throughout the case, despite the fact that Judge Davis warred against the Constitution in treasonous² breach of his solemn Oath of Office, not enforcing the Supreme Law(s) of the Land *Mandated Prohibition* declared by Chief Justice Marshall in *Fletcher v. Peck*, 10 U.S. 87 (1810) against rescinding Government-Issued Patent Contract Grants by the highest authority, *reaffirmed* by

¹ This is a criminal case of overt offenses of sealed false accounting filed in Court, of CLIENT funds unlawfully withheld by PAZUNIAK for 4 + years in CLIENT IOLTA account exclusively controlled by PAZUNIAK, that he failed to distribute to CLIENT to date, and failed to report to the Court that he had already paid himself his full fees of \$1.4M and over \$300K in expenses over 5 years ago and yet filed a no-claim case with no proof of any cause of action nor statement of damages claimed.

² *Cooper v. Aaron*, 358 U.S. 1 (1958). *Marbury v. Madison*, 5 U.S. 137, 177 (1803); *Ableman v. Booth*, 62 U. S. 524 (1859); *Sterling v. Constantin*, 287 U. S. 397 (1932)

the Supreme Court; lost his jurisdiction and immunity. **Respondents and the Delaware Supreme Court have not proven an *Exemption* from the *Mandated Prohibition*. The ‘*LAWs OF THE LAND*,’ ‘*Law of the Case*’ and the facts on my side, Judge Davis dismissed the Constitution, denying Petitioner due process.**

His orders are void.

The case is beyond travesty of justice,³ that is ongoing for four-plus years, in which Judge Davis fraudulently and prematurely ruled in favor of PAZUNIAK on a non-existent contract, without a verifiable claim and no proof of any cause of action in 4 years and no statement of damages claimed and no amount demanded in any of PAZUNIAK’s three complaints or his Motion for Default Judgment, nor proof of service for the statement of damages, which must accompany any request for entry of default, which was then elevated into a conspiracy between PAZUNIAK and Judge Davis against Pi-Net and Dr. Arunachalam to sanction her when PAZUNIAK was the one at fault and depriving her of her rights to her funds

³ Judge Davis ruled in 4/2018 on a non-contract “Proposed Distribution” as a breach of contract by Dr. Arunachalam, not even a party to the case, after Judge Davis had already adjudicated the case on 2/23/17 and had abrogated Dr. Arunachalam’s rights to her funds to a non-existent entity, Pi-Net, without even reading the Retaining Agreement between PAZUNIAK and Dr. Arunachalam and failed to take judicial notice that PAZUNIAK had breached PAZUNIAK’s own Retaining Agreement between PAZUNIAK and Dr. Arunachalam and sanctioned Dr. Arunachalam \$80K + in cruel and unusual punishment in violation of the 8th Amendment and engaged in elder financial abuse, and failed to rule on the release of the IOLTA account funds to Dr. Arunachalam, still illegally withheld by PAZUNIAK to date for over 5 years.

unlawfully withheld by PAZUNIAK for 4+ years in Client IOLTA account, not returned to date. Instead of the Delaware Supreme Court voiding the entire proceeding and reporting Judge Davis' and PAZUNIAK's misconduct to law enforcement, the Delaware Supreme Court panel dismissed Dr. Arunachalam's Appeal for no valid rhyme or reason on November 29, 2018 and denied on December 18, 2018 Dr. Arunachalam's Emergency Motion for Extension of Time until January 20, 2019 to File Motion for Rehearing *En Banc* Due to Surgery.

Judge Davis failed to rule on the actual contract; instead he ruled in favor of PAZUNIAK, when PAZUNIAK had no real causes of action, or verifiable proof for any of his manufactured causes of action and PAZUNIAK failed to provide an evidentiary showing "proving up" the recovery he was seeking, nor did PAZUNIAK provide any admissible evidence supporting the judgment request. Judge Davis gave a premature default judgment against Pi-Net (Dr. Arunachalam's Company) on 2/23/2017 on the Second Amended Complaint, which had not been filed yet by PAZUNIAK until 3/8/2017, without giving Pi-Net a chance to bring counsel after the Second Amended Complaint was filed. Judge Davis Failed to postpone the Pre-Trial Hearing on 2/2/2018 after Dr. Arunachalam had notified the Court prior to the Hearing of her head injury, instead of sanctioning her \$80K+ for an overt offense of false accounting filed sealed by PAZUNIAK, in a cruel and unusual punishment in violation of the 8th Amendment and engaged in financial

elder abuse and failed to rule that PAZUNIAK must release the CLIENT IOLTA funds to Dr. Arunachalam withheld illegally by PAZUNIAK for 4 + years, not returned to date.

Judge Davis denied Defendants, Dr. Arunachalam and Pi-Net the right to bring counsel after the Second Amended Complaint was filed by PAZUNIAK on 3/8/2017 by granting default judgment prematurely on 2/23/2017.

Judge Davis abrogated Dr. Arunachalam's rights to the funds away to Pi-Net and failed to follow the terms of the Retaining Agreement that states the funds should be paid to Dr. Arunachalam, the Client.

Dr. Arunachalam was denied individual liberty and property outside the sanction of law and without due process of law. This Court stated, on Government officials non-exempt from absolute judicial immunity, that "no avenue of escape from the paramount authority of the...Constitution...when ...exertion of...power... has overridden private rights secured by that Constitution, the subject is necessarily one for judicial inquiry...against...individuals charged with the transgression." *Sterling v. Constantin*, 287 U. S. 397 (1932).

This Court has stated on numerous occasions that where an individual is facing a deprivation of life, liberty, or property, procedural due process mandates that he or she is entitled to adequate notice, a hearing, and a neutral judge.

Dr. Arunachalam has been deprived of her fundamental rights that are “implicit in the concept of ordered liberty,” *Palko v. Connecticut*, 302 U.S. 319 (1937); *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976); an individual’s right to some kind of a hearing (“the right to support his allegations by arguments however brief and, if need be, by proof however informal.”); Oliver Wendell Holmes, Jr., stated, *Baldwin v. Missouri*, 281 U.S. 586, 595 (1930):

“persons holding interests protected by the due process clause are entitled to “some kind of hearing”...that assessment is to be made both concretely, and in a holistic manner. It is not a matter of approving this or that particular element of a procedural matrix in isolation, but of assessing the suitability of the ensemble in context.”

Indeed, this case was dismissed, in contravention of the Due Process Clause of the Fifth, Seventh, Eighth and Fourteenth Amendments.

REASONS FOR GRANTING AN EXTENSION OF TIME

The time to file a Petition for a Writ of Certiorari should be extended for sixty (60) days for these reasons:

1. *Pro Se* Petitioner, Dr. Arunachalam, recently underwent surgery requiring a recuperation period of 4-6 weeks. Dr. Arunachalam has an appointment with her surgeon at Stanford Hospital on March 4, 2019 for a prospective additional surgery. Due to the surgery and the press of other business (seven appeals, patent litigation), all of which she is handling *pro se*), additional time is warranted to allow preparation of a Petition.

2. This case presents an extraordinarily important issue warranting a carefully prepared Petition. The decision of the Court of Appeals, namely, the Delaware Supreme Court, if followed, will conflict with Supreme Court precedent with respect to its findings on: (a) the denial of liberty and property without due process of law, and (b) this Court's *Oil States* ruling that violates the Separation of Powers, Supremacy and Contract Clauses of the U.S. Constitution and failed to consider this Court's precedential '*First Impression*' *Res Judicata Mandated Prohibition* declared by Chief Justice Marshall in *Fletcher v. Peck*, 10 U.S. 87 (1810) against rescinding Government-Issued Patent Contract Grants by the highest authority, *reaffirmed* multiple times by this Court — the Supreme Law(s) of the Land. The decision avoids "the *Fletcher* challenge."

3. There is at minimum a substantial prospect that this Court will grant certiorari and, indeed, a substantial prospect of reversal.

4. Petitioner is interviewing outside counsel with Supreme Court expertise to provide consulting assistance to her in this case. Additional time is necessary and warranted for that counsel, *inter alia*, to become familiar with the record, relevant legal precedents and historical materials, and the issues involved in this matter.

5. No meaningful prejudice would arise from the extension, as this Court would hear oral argument and issue its opinion in the same Term regardless of whether an extension is granted.

CONCLUSION

For the foregoing reasons, the time to file a Petition for a Writ of Certiorari in this matter should be extended sixty (60) days to and including May 18, 2019 (if considered from the Delaware Supreme Court's Order dated December 18, 2018) or at least until April 28, 2019 (if considered from the Delaware Supreme Court's Order dated November 29, 2018).

Dated: February 11, 2019

Respectfully submitted,

Lakshmi Arunachalam

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Pro Se Petitioner
Dr. Lakshmi Arunachalam

VERIFICATION

In accordance with 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

Executed on February 11, 2019

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