

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

GERARD D. GRANDOIT, Petitioner,

v.

ARBELLA MUTUAL INSURANCE
COMPANY, ET AL, Respondents.

**APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE FIRST CIRCUIT**

**TO THE HONORABLE CLERK SCOTTS HARRIS of the Supreme
Court of the United States and Circuit Justice for the District of
Columbia Circuit,**

Petitioner Gerard D. Grandoit, "Petitioner", "Mr. Grandoit", respectfully requests an extension of time to file his Petition for Writ of Certiorari, "Writ". He would like to have an additional time of sixty, "60" days to and including January 30, 2019 to submit his Writ to this Honorable Court for a review to the Order of Court from the Massachusetts United States Court of Appeals, "Court of Appeals", denying his Petition for Rehearing. Court of Appeals entered a judgment on March 14, 2018 and denied his Petition for Rehearing on August 30, 2018. He had until November 30, 2018 to file his Petition for a Writ of Certiorari to this Court.

The time will be expired to file the Writ on November 30, 2018 had he did not present the issue of his circumstances to this Honorable Court before the expiration of date. He is trying his best in submitting this Application before ten, "10", days to

comply with the deadline prior to the due date.

Copy of the Order of Court from Court of Appeals is listed below of this Application as Exhibit B, "Exhibit B" in page 2 and Copy of the Judgment is attached as Exhibit A, "Exhibit C" in page 3 and along with Memorandum and Order from Massachusetts Federal District Court as Exhibit D, "Exhibit D" in page 4 behind this Application. Jurisdiction of this Court is based and invoked on 28 U.S.C. §1254 (1).

VALIDITY OF CONSTITUTIONAL STATUTES INVOLVED

Petitioner respectfully states that the validity of his case rest under Jurisdiction of the Courts involved due to the number of Respondents involved. He believes that each Respondent is involved in the cancellation of insurance to his motor vehicle. Each one is independent with the name of its company and policy. He believes that the Court has authority to rely on the Amendment from the Constitution and each statutory law involved in accord to his claims. District Court was the only Court for him to start his original claims under the Electronic Funds Transfer Act, "EFTA", 15 U.S.C. §1693, *et seq.*, and the Equal Credit Opportunity Act, "ECOA", 15 U.S.C. §1691, *et seq.*, The Respondent performed several acts at the time that his motor vehicle was insured by Arbella. District Court found that he did not have legal right to raise a claim under Equal Credit Opportunity.

Petitioner appealed the Memorandum and Order to Court of Appeals proving that he had his right on the matter for a review to enforce the law on his argument. Court of Appeals affirmed the ruling by District Court. Petitioner believes that the judgment by Court of Appeals was unconstitutional to his appeal. Court of Appeals

had power to grant him the leave of amending his Complaint under the federal rule. Fed.R.Civ.P.15 (a). Court of Appeals did not grant him the leave of submitting a new Amended Complaint. He proved to Court of Appeals that he petitioned District Court for leave to submit the new Complaint after its Memorandum and Order.

Court of Appeals did not find that District Court did not order him nor allow him to have a time frame for curing a deficit on his Complaint. Petitioner respectfully states that District Court denied him the opportunity to amend his Complaint. He believes that he needed to ask permission in receiving the approval of the Court before filing a new Complaint. He filed a notice of appeal with the form from Court of Appeals to proceed in forma pauperis.

Court of Appeals affirmed the Memorandum and Order by District Court and denied him the leave to proceed in forma pauperis without recommending him to submit the Amended Complaints on the supplementary pleading to its Court, and, or District Court. Petitioner believes that Court of Appeals had authority to review the denial of his Motion from District Court on whether District Court was right under the Rule without allowing him to have a time frame for submitting a new Complaint after receiving the additional claims from him. Fed.R.Civ.P.15 (a). Petitioner filed a Motion in submitting the additional claims to District court individually after it Memorandum and Order. District Court did not consider his Good Cause and Due Diligence to his additional claims. Fed.R.Civ.P.16 (b) (4).

Petitioner respectfully states that he would not have been meeting the deadline in filing all claims at the time of petitioning District Court for leave to file the new

Complaint. He had to wait for receiving the decision from Massachusetts Commission Against Discrimination, "MCAD", on this charge of discrimination against the Respondents. He was working on several Complaint to submit to District Court. His thumb drive broke which was not able to repair in a small shop. He did not have to seek a large place for trying to see whether he could receive the information therein.

In *Boatright v. Larned State Hospital*, No. 05-3183-JAR, 2007 U.S. Dist. LEXIS 67179, at *15 (D. Kansas, September 10, 2016), the Courts from District of Kansas noted that a Motion can be granted after meeting the standards under Rule 15 (a) where the Court could allow an untimely Motion filing after the deadline had it demonstrated sufficient and good cause pursuant to Rule 16 (b). Here, Petitioner petitioned District Court and Court of Appeals for leave to submit additional claims to his Complaint after the Memorandum and Order by District Court. He showed that the Respondents would not suffer prejudice had the Courts granted him the leave to submit additional claims to his original claims for the interest of justice and public interest. He submitted the claims individually to District Court before submitting them collectively on an organized way for the Court.

Petitioner believes that Court of Appeals had the authority to reverse the decision from District Court, recommend, remand him to submit the new Complaint to District Court for original ruling had it found that District Court was wrong for not giving him a chance to amend his Complaint. It also had the authority to request him to file the new Amended Complaint to its Court before denying him the opportunity to submit the Amended Complaint.

Petitioner respectfully states that he believes in the standard and principle of the law, rule and Court. Once a failure is against a statute which had the same meaning with another one with different number, he believes that he is entitled to relief under the statute. The Respondents avoided to perform their obligations for him under a statute which has the same meaning with another one and different number. Court of Appeals did not consider the compelling reasons for him to receive reliefs against each failure by the Respondents upon discretion of District Court or Court of Appeals. This Honorable Court is a Court of principle believing in the Constitutional Amendments.

Petitioner respectfully prays its authority with its eyes to consider the validity of constitutional issues that he would raise and argue through his Petition for a Writ of Certiorari. He appealed the Order of Court from Court of Appeals affirming its judgment for a constitutional review to the validity of constitutionality of Amendments involved under the First, Fifth and Fourteenth Amendments. The First Amendment granted him the leave to petition District Court for filing a new Complaint against the parties involved. It guarantees him the freedom of expression which the Court recognized for him to call himself as a prose defining as a lawyer without a degree from school at the time of representing himself in this specific case. He was not succeeding on his case to prove his constitutional right on the issues to the Court. The First Amendment guarantees him to have freedom on his right as prose to petition District Court for naming his title as the first priority even he was poor facing financial difficulty on his life.

The Fifth Amendment defines that no person shall be deprived of life, liberty or property without due process of law nor shall private property be taken for public without just compensation. Petitioner feels that he was deprived of due process to his life, liberty or property without due process of law. District Court did not order him to submit an Amended Complaint for proving his entitlement against the Respondents. He feels that District Court took away of the benefits from his Complaint which he considers to be a private property to him that he plans to argue on further process through his Writ had this Honorable Court grants him the leave to file his future Petition for the Writ. He believes that the statutes involved have connection with the First, Fifth and Fourteenth Amendments under Constitution.

The Fourteenth Amendment to the United States Constitution defines that no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; (2) nor shall any State deprive any person of life, (b) liberty, (c) property, without due process of law; (4) nor deny to any person within its jurisdiction the equal protection of the laws.

Petitioner feels that District Court caused him to suffer the three sets forth of definition listing above from the Fourteenth Amendment which Court of Appeals affirmed. He plans to relate the statutes involved to the set forth in further process of his future petition had this Honorable Court granted him the leave for proving his entitlement on the subject matter. He is proving validity of the statutes involved through his Application for the extension of time. He feels that Court of Appeals adversely ignored the important questions which District Court did not consider on

his Motion for filing the Amended Complaint. He showed that there was constructive facts at the time of petitioning District Court for leave to file the new Complaint which were the communication having with the Respondents along with the new claims that he discovered at the time that his Motion was in the process of review. Court of Appeals did not grant him the leave of filing the new Complaint.

This Honorable Court has authority to review the process which Court of Appeals may use to allow him of amending his Complaint. Petitioner respectfully prays this Honorable Court for leave to grant him the leave for filing his Petition for the Writ of Certiorari late to prove validity of the constitutional amendments in connection to each statute involved in his Complaint.

**IMPORTANT QUESTIONS DETERMINING ADVERSELY BY
DISTRICT COURT WHICH AFFIRMED BY COURT OF APPEALS**

Mr. Grandoit respectfully states that the statues involved relates to the Constitution of the United States from the effectiveness of its definition under the law. His appeal rests under the enforceability of the Rule and the Law which Court of Appeals avoided to consider on is appeal. District Court issued a Memorandum and Order without finding him to raise a claim under ECOA. He proved to Court of Appeals that District Court did not grant him the leave to file a new Complaint under Rule of the Court. Fed. R.Civ.P.15 (a). He proved to District Court that other Court of Appeals which consider the Respondents as a whole to be a creditor.

He entered into a contract with them to pay a loan for his motor vehicle within a certain period of time. He believes that he owed an obligation to them which needed to fulfill for the insurance on his motor vehicle. Had he did not pay the credit giving

to him on the monthly payment, a fee would be applied while the insurance on his motor vehicle would be cancelled. The obligation was to pay the monthly payment for the insurance on his motor vehicle.

Mr. Grandoit believes that his claims had a validity under the Constitution for the reason with Court of Appeals did not find District Court err on the subject matter. According to the Rule, he may amend his Complaint as matter of course before serving it to the Respondents. Fed. R.Civ.P.15 (a) (1). He proved to Court of Appeals that District Court had authority to grant him an opportunity of submitting an Amended Complaint, and, or, the supplementary claims. Court of Appeals did not find District Court to prevent him of filing a new Complaint for validity of his claim under the standard. In *Lenore Forman f. Elvire A. Davis*, 371 U.S. 178, 182 (1982) (emphasis added), the Court showed that the rule permits an amended complaint to take place for curing a deficiency once it will not create a bad faith and prejudice to the opposing party where a Court should freely give an opportunity to amend with the sufficient, good reason.

Mr. Grandoit believes that Court of Appeal had authority with its review to adopt the standard for validity of his claims against the Respondents involved. The statutes and constitutional laws recognize the theory for him to drive a car with insurance. Respondents cancelled the insurance on his motor vehicle causing him to drive his motor vehicle without insurance in the street. He became an illegal motorist under the statutory and constitutional laws. Driving a motor vehicle without insurance is an act of immorality which the statutory and constitutional laws prohibit

to happen. A Court has an authority to favor a morality its discretion had Congress did not forbid it to happen.

In the other hand, driving a motor vehicle with insurance is a moral act which the standard favors for him to prove validity of his claims under theory of the laws. Mr. Grandoit respectfully states that District Court had authority to exercise his power to the possibility of his claims under the laws. District Court dismissed his Motions for leave to file the new complaint for not finding the parties involved to be a creditor. He appealed the decision to Court of Appeals proving that the Respondents were a creditor. Court of Appeals affirmed the Memorandum and Order by District Court without finding him to raise sufficient allegations.

Mr. Grandoit believes that Court of Appeals may abuse its discretion and err in affirming the Memorandum and Order by District Court. He respectfully pray this Honorable Court for leave to determine whether he is right on his assertion. Once he proved that the Respondents were creditors, Court of Appeals found that a creditor is a person, company, firm, association to whom money was due during a certain period of time. He believes that he was entitled to reliefs from District Court against the Respondents on his claims. He proved that the Respondents gave him credit to prove a monthly payment for the insurance on his motor vehicle.

Court of Appeals did not provide any information which proved on whether he was right with his assertion that the Respondents were creditor to whom the money owed to the insurance on his motor vehicle. He made a promise to pay the secured advanced loan which may consider also under retail loan upon discretion of the Court.

The debt instrument was secured in the event of default which he believes also rests under Uniform Code Commercial, "UCC", upon discretion of the Court.

Once Court of Appeals found him to be right on his assertion, he believes that he was entitled to provide the amended Complaint to District Court. He was also entitled to prove his accepted claims along with the additional claims to District Court, and, or, Court of Appeals. Mr. Grandoit believes that District Court had several standards to his Complaint. One was to his regular claims that he petitioned District Court for a moral decision under its jurisdiction while the second one was on the validity of his claims under the statutory, and, or, constitutional laws involved. The final one was on his prayer's relief upon discretion of the Court. He petitioned District Court for leave to submit separate claims for making his claims being easy to the Court. He believes on the standard of the law and rule of the Court for his reliefs. He was having too many counts which would make his Complaint to be too long. He petitioned District Court for leave to file additional claims as Complaint.

Each section of the law was creating for a purpose. District Court and Court of Appeals had the authority to grant him the leave of submitting the additional claims. They did not grant him the leave to submit the additional claims which he organized to make the claims of being easy for the Courts. Mr. Grandoit believes that he was entitled to relief had a failure from the Respondents falls under a specific subsection from a law. This Honorable Court always recognizes the validity of claims which based on morality and principle of the laws. Mr. Grandoit respectfully prays its authority for leave to consider and determine whether Court of Appeals had authority

under the standard to grant him the leave of presenting, submitting his moral and standard claims under its jurisdiction. His moral claims based on the authority of the Court without a law involved. His standard claims fall under the statutory and constitutional laws. He feels that Court of Appeals did not use nor enforce the standard of the law to the validity of his claims.

In common judicial principles of the law, Mr. Grandoit believes that a sophisticated mind is a higher organized one believing in a specific definition of the law to any violation finding to relief had Congress did not prohibit it to happen. He respectfully states that a claim can fall in four dimensions for reliefs before a Court. One is the principle of the Court, the second one was on the moral dimension of life, statutory and constitutional laws. Each dimension has a different definition. In his case, it's only four dimensions involved, (a) his regular claims without any law involved, (b) his regular claims under the constitutional laws, (c) his regular claims under the statutory laws, (d) his prayer relief reserved the Court's right to grant any additional relief upon its discretion to his claims.

The Constitution allows a Court to treat a trial commonly, and, or, civilly at the same time. Mr. Grandoit believes that the principle works the same way on diversity of claims which he filed in District Court upon the discretion of the Court. He respectfully pray this Honorable Court for leave to consider the validity of his claims by Court of Appeals which affirmed Memorandum and Order by District Court without finding the Respondents to be a creditor causing his petition for filing the new Complaint to dismiss. In *Tonja Treadway v. Gateway Chevrolet Oldsmobile*,

Incorporated, 362 F.3d 971, 975 (7th Cir. 2004), the Court showed that the ECOA prohibits discriminatory intent to take place during a credit transactions on the basis of races, color, religion, national origin, sex or marital status. Here, Mr. Grandoit respectfully states had he proved the reason that District Court may err without finding the Respondents to be a Creditor, he believes that Court of Appeals had authority to grant him the leave of serving the Complaint to the Respondents. He respectfully prays this Honorable Court for leave to determine whether he is right on his assertion that the Respondents defined as a creditor through his Complaint.

PETITIONER’S PETITION FOR AN EXTENSION OF TIME

Pursuant to Supreme Court Rule 13.5, 21(1) and 2 (a), Rule 30, Petitioner respectfully moves this Honorable Court for leave to extend the time in allowing him to submit and file his Petition for Writ of Certiorari after November 30, 2018. As the reason of his Motion for the extension of time and the filing, he respectfully elaborates the facts below as:

On August 30, 2018, Court of Appeals issued an Order of Court denying his Petition for Rehearing to the Judgment entered on March 14, 2018. The Mandate was issued on September 7, 2018. “Exhibit C, page 3”. The Petition for a Writ of Certiorari will be due on November 30, 2018.

Pursuant to Supreme Court Rule 13.5 and 21, this Honorable Court has power to entertain his Motion for the extension of time. Petitioner respectfully prays its authority for leave to consider the Good Cause listing below for the requested extension of time. He has been living in financial difficulty without having money to

comply with the requirement for filing his Petition for a Writ of Certiorari within the required time. He received the decision from Court of Appeals without having money to purchase inks and papers for starting to work on it until he receives his check from Social Security on the third of each month. He filed a couple cases in Massachusetts Superior Court which he had to appeal to Appeals Court. He was struggled in avoiding other priority to purchase the requirements for filing the brief and appendices to Court of Appeals also.

He has been living in financial distress on almost every month with a restricted income from Social Security. He does not have money at this moment to fully comply with the Petition for the Writ of Certiorari which will take him a little time to put together. His financial difficulty prevented him to maintain with the professional commitments during the period of time for starting to work on his Petition for the Writ of Certiorari within the required time. He is trying his best in exercising his due diligence to fulfill the obligation owed to the Court. He does not have money to fully comply with the requirement of the Court since he has to meet the one at the lower Courts first before arriving to this Court.

He has to struggle without eating properly to purchase the requirement for filing the documents to Massachusetts Superior Court, Appeals Court and Court of Appeals. He filed a Motion to Court of Appeals for an extension of time to file a Petition for Rehearing in a different case. Court of Appeals reduced the time for him to file the Petition for Rehearing by November 28, 2018. He had to file a brief also to Appeals Court with Appendices this month. He again had to file a brief to Superior

Court in responding to the documents filing in Superior Court seeking Judicial Review to a decision from MCAD on discrimination related to the parties involved.

He did not get a chance to submit the documents yet to District Court and Court of Appeals in connection to this case. He did not receive an approval from Court of Appeals to submit the Amended Complaint with a time frame. He was waiting to exhaust administrative and superior procedures before submitting the additional claims to District Court upon Court of Appeals' discretion.

His charge of discrimination against the Respondents is still in the process of review in Superior Court and Appeals Court. He is facing extremely a financial difficulty this month with the deadline that he had to comply in Massachusetts Superior Court, Appeals Court and Court of Appeals. He does not know whether he would be able to make the other deadline due to the restriction from his financial difficulty. He is overloaded this month trying to keep himself being busy for his head not to explode. He believes that this Honorable Court has discretion to grant him the leave to file the Petition for the Writ of Certiorari late due to the emergency situation facing. He respectfully prays this Honorable Court for leave to grant his Application for filing his Petition for the Writ of Certiorari late due to his financial condition and situation from the declaration mentioned above.

He presented this Application in Good Faith and not for delay that the Respondents will not be prejudiced in granting him the leave to file his future Petition for a Writ of Certiorari on the extension of time. District Court and Court of Appeals did not grant him the leave to serve the Complaint yet to the Respondents.

PETITION FOR LEAVE TO SUBMIT PETITION IN FORMAT BOOKLET WITH PROSE STATUS IN FORMA PAUPERIS

Pursuant to Superior Court Rule 33, Petitioner respectfully states that he is not a degree lawyer to file in the booklet forma without petitioning the Court for leave to submit his future Petition for a Writ of Certiorari on the matter. He respectfully prays this Honorable for leave to consider the freedom of being him as a prose under Rule of the Court and the Law. He is an individual that the law grants him the leave to represent himself whether he was poor, disabled or rich to practice as a lawyer in Court for a specific case only. He believes that a lawyer is a prose with degree from School while a prose is a lawyer without degree from school petitioning the Court for a grievance of right under the First, Fifth and Fourteenth Amendments in a case.

He tried to plead and conduct his case under the rule of the Court. He does not have money to fully submit his case to this Court in the complete format booklet. He is able to submit in the regular paper with the format booklet. He respectfully prays this Honorable Court for leave to accept his application and allow him of submitting the future Petition for a Writ of Certiorari in the format booklet.

CONCLUSION

This Honorable Court has the authority to grant him the extension of time for filing his future Petition for a Writ of Certiorari by January 30, 2019. For the foregoing reasons, Petitioner respectfully prays this Honorable Court to grant him the additional time to prepare and print his Petition for the Writ of Certiorari to submit to its Court in light of the Court of Order by Court of Appeals affirming the Memorandum and Order by District Court without finding him to raise a federal

issue when the original jurisdiction of his claims from the Electronic Fund Transfer Act and Equal Credit Opportunity Act should take place in Federal District Court.

Respectfully submitted,

Mr. Grandoit D. Grandoit, prose

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October 12, 2018