

No. _____

In The
Supreme Court of the United States

DANIEL O'CALLAGHAN,

Petitioner, Pro Se

v.

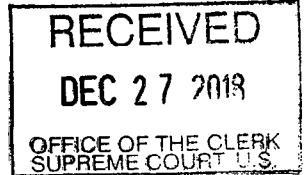
HONORABLE X, in past or present official capacity as Judge of the Court of Common Pleas of Northampton County, Commonwealth of Pennsylvania and (HON.) X, in individual capacity; HONORABLE Y, in past or present official capacity as Judge of the Court of Common Pleas of Northampton County, Commonwealth of Pennsylvania and (HON.) Y, in individual capacity; *et al.*

Respondents.

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

To the Honorable Justice Samuel J. Alito, Jr., Justice for the United States Court of Appeals for the Third Circuit:

Petitioner, Daniel O'Callaghan, *Pro Se*, refiles his application for extension of time to file Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit to/ until January 30, 2019, which is an extension of 30 days from the present due date. As can be determined from the original text of the application, Petitioner seeks an extension of time which totals 30 days from the present deadline, December 31, 2018. Further, as can be determined from the original Certificate of Service (copy attached), the original application for extension



was mailed December 13, 2018 by United States Express Mail, was guaranteed to be delivered by noon on Friday, December 14, 2018 (copy of U.S. Express Mail receipts attached) and was in fact delivered before noon on Friday, December 14, 2018, both to the United States Supreme Court and to Petitioner's adversary, Martha Gale, Esq., attorney for defendants at Supreme Court of Pennsylvania, Administrative Office of PA Courts, in Philadelphia (copy of U.S. Postal Service evidence of delivery).

The text of the original application for Extension follows:

Petitioner, Daniel O'Callaghan, *Pro Se*, requests an extension of time to file his Petition for Writ of Certiorari to/ until January 30, 2019. Denial of petition for rehearing in the United States Court of Appeals for the Third Circuit was entered October 1, 2018, and therefore, Petition for Writ of Certiorari presently is due December 31, 2018 (as December 29, 2018 is a Saturday). This application is being filed more than 10 days prior to such due date.

Attached to this application are copies of the opinion of the United States Court of Appeals for the Third Circuit, dated August 28, 2018, and the denial of petition for rehearing, dated October 1, 2018. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1254 (1).

The Third Circuit applied absolute judicial immunity (*see Stump v. Sparkman*, 435 U.S. 349, 356 (1978)) to affirm dismissal of Petitioner's Complaint -- violation of civil rights -- *viz.*, State court judges denied Plaintiff all discovery, *i.e.*, all due process -- upon an open Court "scream" "*Denied*", absent all "order" at any

time -- in a routine "nuisance" case. Shortly, a second State Court Judge contended frivolous case and imposed substantial monetary sanction.

Respectfully, extension of time to file Petition for *writ of certiorari* is appropriate and necessary as medical difficulties of Petitioner – recent fall which prevented walking for some time by near 75-year old. More, Petitioner's wife of 40 years is a stage IV ovarian cancer patient. As well, Petitioner faces printing/production concerns. Petitioner served in the United States Navy 1964-1972, principally in the Submarine Service, Vietnam War.

Respectfully submitted,



Daniel O'Callaghan
Petitioner, *Pro Se*
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December 13, 2018

Refiled, as amended by addition of first paragraph, December 21, 2018, by U.S. Express Mail: EL 068884830 US; service upon counsel for defendants, U.S. Express Mail: EL 068884843 US