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SUPRE...

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Justice Ruth Bader Ginsburg  
Supreme Court of the United States  
1 First Street NE  
Washington, D.C. 20543

March 29, 2019

Re: Klein v. United States, Dkt # 18-6949  
Request to Extend Time from April 15, 2019 to May 15, 2019

Dear Justice Ginsburg:

Kindly adjourn extend due date to May 15, 2019. Dispositive applications are pending in both lower Courts (and for some long time so a disposition could be forthcoming at any time).

The main substantive issue is Right to Counsel post-Arraignment in Federal Court. While I was denied same [and the reddest of red flags is contained right on the face of the Arraignment Transcript as same recites Arraignment Counsel making a "Limited Appearance" for just the Arraignment, the very same problem in Von Moltke v. Gillies, 332 U.S. 708 (1948)] the whole logic that needs to be applied is fully contained in your own Opinion in Iowa v. Tovar, 541 U.S. 77 (2004), and in the very first sentence thereof, i.e., Right to Counsel is for all "critical stages"—heightened in Federal Court for "all stages" post-Arraignment, FRCrP 44(a), Von Moltke.

Respectfully, to me the main problem has been the District Court has yet to find as facts the obvious and admitted facts [for some reason]. But as above there is still hope it will still process the facts (as ultimately that is one of its functions in the Federal Judicial process).

It seems that I have written very respectfully about this high Court in my Book *"Essays Commemorating the Bicentennial of the U.S. Constitution and the Bill of Rights— Looking Toward the Third Century"* (1991, Univ. Press of America). So hopefully this Court doesn't have to be in position to direct the District Court to do what it already knows it is supposed to do.

We may have an interesting connection as I had a Bar Mitzvah at that East Midwood Jewish Center on Ocean Avenue in Brooklyn. Unfortunately my Mother had me to go to Midwood High School instead of Madison because she went to Midwood. May have been a mistake because the Madison people more paramount in Government (and I have been stuck in place for 15 years).

In sum, I respectfully request that the time to file be adjourned to May 15, 2019, as my sincere hope is that this Court's good offices will not be needed. The Judges, Teachers, Scholars in the lower Courts and learned Justice Department attorneys hopefully should be able to resolve this constructively without this Court's intervening. Respectfully,

cc: Noel Francisco, Solicitor General  
U.S. Circuit Judge Jon O. Newman  
U.S. District Judge Denise L. Cote

  
Eric A. Klein

Proof of Service Over on Back of Page  
✓cc: Ms. Nesbitt, Supreme Court Case Analyst

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