Service on Both Parties

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July 6, 2018

Chief Justice John G. Roberts, Jr.
Supreme Court of the United States
1 First Street NE
Washington, D.C. 20543

Re: Request for Maximum Extension of Time to Filed Petition for Certiorari

Dear Chief Judge Roberts:

Attached is copy 2nd Circuit Order dated April 23, 2018. The time to file Certiorari, being 90 days therefrom would be around July 22.

The issue involves a "Limited Appearance" at Arraignment by Arraignment Counsel so that a felony defendant, me, would be Pro Se thereafter. A copy of the 6 page 12/1/04 Arraignment Transcript is attached. Thereafter the Prosecution, while I was an involuntary Pro Se (no waiver of the right to Counsel appears in the Record and none urged by the Prosecution) involved me directly personally into the Plea Negotiations and the Discovery/Investigation stages of the Prosecution. Copy of the Prosecution's 12/15/04 Letter to me for same "stages" is also attached.

To me there are no "legal issues". The "rub" is that the District Court has refused to address the issue of whether I was Pro Se without waiver after the Arraignment and also for critical stages; and the 2nd Circuit Court of Appeals has so far permitted that regime.

To me it also incredibly sad that the U.S. Government has itself done nothing to correct this obviously unconstitutional proceeding. The result is that the U.S. Government is turning this Court into a *nisi pruis* Court to make the initial findings with initial application of law.

My own record, in part reflected by Volume I authored on Consitutional Law, "Essays Commemorating the Bicentennial of the United States Constitution and the Bill of Rights—Looking Toward the Third Century" (1991, Univ. Press of America) would to treat this Court with more respect, and not turn it into a *nisi pruis* Court because of the failures of the lower Court and the U.S. Government to apply basic Constitutional learning, e.g., Johnson v.Zerbst; FRCrP 44 (a); Von Moltke v. Gillies; Padilla v. Kentucky; Missouri v. Frye; Lafler v. Cooper.

Hopefully in the interim time a lower Court can act responsibly and in accord with well established and repeated learning this Court has already provided. There are various applications pending below in the 2nd Circuit and the District Court; and the time to digest recent decisions, *e.g.*, Turner v. U.S., 3/23/18 (en banc) is needed for a decent presentation. Respectfully,

Attachments (3)
Eric A. Klein

cc: Noel Francisco, Solicitor General