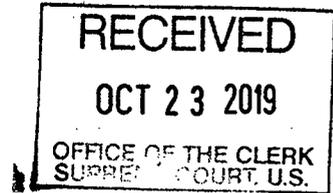


Tomo Shibata  
A#5394  
Buffalo Federal Detention Facility  
4250 Federal Drive  
Batavia, NY 14020



**THE UNITED STATES SUPREME COURT**

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Tomo Shibata, Petitioner

Second Circuit Docket No: 316 CV-1349

v.

Roger Swingle, et al., Defendants

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**APPLICATION TO EXTEND TIME TO FILE PETITION FOR WRIT OF CERTIORARI**

I, Petitioner Tomo Shibata, hereby respectfully request this honorable court to extend time to file my petition for writ of certiorari to the maximum amount of time permitted by law on the following grounds:

**I. Pro Se Petitioner Has Been Detained in the U.S. Immigration and Custom Enforcement Facility**

**A. The Background of the Petitioner's Immigration Detention**

I, Pro Se petitioner, have been detained in the U.S. Immigration and Custom Enforcement facility since 10/03/19 due to overstaying after the 9th Circuit Court issued the mandate, which ended the stay of my removal order. Substantially because of the ongoing organized covert torture and attempted murder victimizations, my functionality has been significantly diminished and thus failed to leave the U.S. promptly (by requesting voluntary departure from the 9th Circuit; renewing my Japanese passport and so forth) before the issuance of the mandate and/or to file the motion to extend

the time to file the mandate, till I file my petition to judicially review the United State Citizenship and Immigration Service's denial of my application for permanent residency, with the court that has proper jurisdiction on my appeal, i.e., the U.S. district court.

**B. The ongoing detention has been rendering Pro Se Petitioner's act of working on the petition for the writ of certiorari practically impossible**

Petitioner's personal effects, including the entire file of the instant case, have been siezed. Petitioner has principally no access to the internet. Petitioner has access to only immigration related law materials but not the Sumpre Court Rules and other law materials that allows me to prepare the petition. Petitioner has received various reasons as to not being able to access to computing (word processing and printing) facility upon my request to access to a computer to completet this application. For example, Peitioner has requested to use the computer and then placed on the waiting list to use the computer for a few days but then transferred from one detention facility to another detention facility mostly without any advanced notice three times since 10/03/19.

**II. The Ongoing Organized Covert Torture and Attempted Murder Victimization of the Petitioner by Corrupt Organizations Has Been Significantly Diminishing The Petitioner's Functionality to Prepare for the Petition**

Petitioner has been subjected to onging organized stalking and cover torture and attempted murder by the Italian American Mafia (the Genovese Crime Family and its partner crime families whose territories cover my residencial location at any given time) after filing police reports against their partner crime families' associates' family members, and by G4S, the world's largest security company headquartered in London, UK, after G4S entered into a security contract with Cornell University against which I filed a perceived psychological disability-based discrimination complaint with Tompkins County

Human Rights Commission (in New York State, where Cornell University is located).

The means of torture includes a break-in while the petitioner is sleeping at her residence and, during the break in, leaving two injection marks on the protruded veins of my right wrist and a few one-inch long knife cuts on the skin of my right arm that took place in mid June, 2019.

Please take notice that the petitioner is concurrently filing the motion to recall mandate with the Second Circuit as per the instruction of the clerk at the Second Circuit. Therefore, this application may become moot if the said motion is granted by the Second Circuit.

Date: 10/14/2019

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tomo Shibata', written in a cursive style. The signature is positioned above a horizontal line.

Tomo Shibata, Petitioner Pro Se