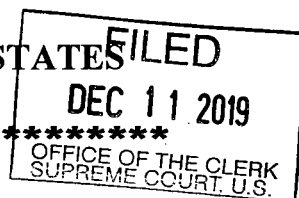


19A683

In the SUPREME COURT OF THE UNITED STATES



**Application for an Extension of Time Within Which to File a Petition for a
Writ of Certiorari to the Supreme Court**

**M.S. Whistleblower on behalf of the United States
of America (Applicant/Petitioner)**

V/S

**Dave Singh. B. Hoon -(Genome Sequencing Center) John Wayne
Cancer Institute, CA Diego Marzese- John Wayne Cancer Institute,
CA
(Respondent/ defendant)**

APPLICATION TO THE HONORABLE JUSTICE ELENA KAGAN

Thursday November 28, 2019

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, WHISTLEBLOWER on behalf of UNITED STATES hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, 14 February 2020.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is (Ninth circuit No. 18-71918) (attached as Exhibit 1). The circuit Court of the State of California denied Applicant's motion for rehearing or modification on Sep 17, 2019 as 'Out of Scope' (attached as Exhibit 2).

The petition for rehearing was timely filed in the court of appeals for the Ninth circuit , the time to file the petition for writ of certiorari runs from the date of the denial of the petition for rehearing or, if the petition for rehearing is granted, the subsequent entry of judgment. See Rule 13 of the Rules of the Supreme Court of the United States.

JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari was due to be filed on or before Dec 16, 2019. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Whistleblower on behalf of United States respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the Circuit Court of the State of California in this case, up to and including February 14, 2020 and due on Monday February 17, 2020.

By the terms of the Statute 31 U.S.C. § 3730(c)(2)(A) the United States of America (Federal government) is the "real party of interest" in any matter concerning False Claims Act. 60-days extension is often granted in matters concerning Federal government where one of the parties is:

- (i) the United States;**
- (ii) a United States agency;**

If the United States or an agency or officer thereof is a party in a civil case, extending the time for filing is justified thereof.

- 2. Whistleblower on behalf of United States has requested Supreme Court advocacy Clinic Practicum to assist in the preparation of Writ. An extension of time will permit the advocacy clinic sufficient time necessary to complete a cogent and well-researched petition.
The clinic caseload includes cases in the Supreme Court, and has several overlapping commitments representing other clients in this Court.**
- 3. Extension of time be granted considering the end of year authorized holidays, as most of staff, federal employees will be on vacation leave and returning after New year, and resumes after the beginning of the new calendar.**

- 4. Extension of time is also necessary because whistleblower is temporarily outside of United States and this will cause delay in paper processing from another country.**

This application is being filed 10 days in advance of the filing date for the petition for a writ of certiorari. Additional 4 days from deadline are to be considered for international postal mail service for paper copies submitted.

CONCLUSION

For the foregoing reasons, whistleblower on behalf of United States respectfully requests that this court grant an extension of 60 days, up to and including February 14, 2020 and due on Monday February 17, 2020 within which to file petition of writ of Certiorari.

Respectfully submitted.