

## § 12.24 Motion to Immediately File Brief for Out of Time

## IN THE (SUPREME COURT) (COURT OF APPEALS) DISTRICT OF COLUMBIA

BOBBIE JEAN BATTLES,	)	
	)	
Plaintiff, Appellee	)	
	)	Case Number:
vs.	)	
	)	
DARYL ROTZ,	)	
	)	
Defendant, Appellant	)	
	)	

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## MOTION TO IMMEDIATELY FILE BRIEF OUT OF TIME

1. Background, The appellee's brief was due on April 17, 2019, and that day has passed. The appellee, Battles, has received one prior extension of time to file the brief.
2. Authority, Supreme Court Rule 5.02
3. Reasons, As of, during the month of February 2018, plaintiff, Battles was notified for a briefing within the Third Circuit of Appeals at the Eastern Pennsylvania District of the United States Federal Court. However, **[ON JULY 14, 2018, BATTLES; THROUGH AN UNKNOWN SOURCE]** appellee was falsely committed at Albert Einstein Medical Center, Levy 9, 5501 Old York Road, Philadelphia, PA. Battles was held there, without even having the right to testify at Albert Einstein Mental Court. Plaintiff was not discharged until July 28, 2018. For this when the **[falsified 303 complaint was filed by Psychiatrist Musurini. HOWEVER, KNOWING THE BRIEFING HAD TO BE FILED IN A TIMELY MANNER, BATTLES WAS FALSELY RECOMMITTED ON August 12, 2018 and not discharged until August 29, 2018 (going through the same procedure of refused to be allowed to testify at Albert Einstein Mental Court.]** Therefore, this case was negatively ruled: by Judge Thomas Ambro of the Third Circuit Court of Appeals; ruled with prejudice **[BOTH MOTIONS DENIED]**, in pursuant to Judge Gerald J. Pappert's ruling on May 21, 2018, failed to file a claim. However, on June 9<sup>th</sup>, 2015, this case was presented to Eastern Pennsylvania District Court of the United States Federal Court **[FOR ACCORDING TO JUDICIAL LAWS, THIS IS A FEDERAL CASE AND NOT PHILADELPHIA, PENNSYLVANIA CIVIL COURT CASE]**. For, at least a city employee's words have been manifested, "the city do not go against the judicial system." More of the lest, the Eastern Pennsylvania District Courts **[from the District**

Court to the Third Circuit Court of Appeals support such unethical conduct]. For as February 22, 2019, Battles was again, through an unknown source, informed by the Philadelphia, Pennsylvania 14<sup>th</sup> Police District, "this falsified mental complaint was filed through the 39<sup>th</sup> Philadelphia Police District." Unfortunately, the 39<sup>th</sup> Philadelphia Police District reluctantly cooperated for a DC Number to have this falsified mental complaint retrieved. On March 20, 2019, when Battles returned to her resident, her home was so ransacked, and discombobulated that having this case filed in ampler time was impossible.

**[PLEASE SEE ATTACHED DOCUMENTS PERTAINING TO THIS PETITION]**

Because of this, appellee, respectively request for permission to file the brief immediately.

Attorney's Signature



Name of Attorney (Bobbie Jean Battles – PRO SE  
President/Chief Executive Officer – EIN: 23-3027407

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Party Representing: Bobbie Jean Battles – PRO SE

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

No. 18-2342

Bobbie Battles v. Daryl Rotz, et al

(District Court No. 2-18-cv-00494)

**O R D E R**

Pursuant to Fed. R. App. P. 3(a) and 3rd Cir. Misc. LAR 107.2(b), it is

ORDERED that the above-captioned case is hereby dismissed for failure to timely prosecute insofar as appellant/ petitioner failed to file a brief and appendix as directed. It is

FURTHER ORDERED that a certified copy of this order be issued in lieu of a formal mandate.

For the Court,

s/ Patricia S. Dodszuweit

Clerk

267-299-4911

Dated: September 20, 2018

cc:

Bobbie Jean Battles



*Patricia S. Dodszuweit*

Patricia S. Dodszuweit, Clerk  
Certified Order Issued in Lieu of Mandate

**Additional material  
from this filing is  
available in the  
Clerk's Office.**