

No. 20-

IN THE

SUPREME COURT OF THE UNITED STATES

GREGORY SHAWN MERCER,

PETITIONER, pro se

VS.

E. A. VEGA, *et al.*

RESPONDENTS

On Petition for Writ of Certiorari to the
U. S. Court of Appeals for the Fourth Circuit

APPLICATION TO THE CIRCUIT JUSTICE (Chief Justice John G. Roberts, Jr.)
FOR A RULE 33.1(d) EXPANSION OF THE RULE 33.1(g) WORD LIMIT IN
EXCESS OF 9,000 WORDS IN A PETITION FOR WRIT OF CERTIORARI DUE
ON 7/2/2020 IN COMPLIANCE WITH RULE 33.1(d) DUE TO HARDSHIP

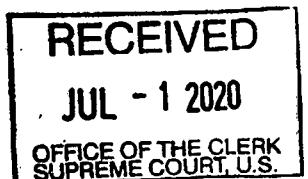
GREGORY SHAWN MERCER, *pro se*

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**APPLICATION TO THE CIRCUIT JUSTICE (Chief Justice John G. Roberts, Jr.)
FOR A RULE 33.1(d) EXPANSION OF THE RULE 33.1(g) WORD LIMIT IN
EXCESS OF 9,000 WORDS IN A PETITION FOR WRIT OF CERTIORARI DUE
ON 7/2/20 IN COMPLIANCE WITH RULE 33.1(d) DUE TO HARDSHIP**

COMES NOW the Petitioner, GREGORY SHAWN MERCER, *pro se*, moving the Circuit Justice for the U. S. Court of Appeals for the Fourth Circuit (Chief Justice John G. Roberts, Jr.) for an expansion of the Rule 33.1(g) Word Limit in excess of 9,000 words for his Petition for Writ of Certiorari to the U. S. Court of Appeals for the Fourth Circuit due on or before 7/2/2020 due to hardship. Petitioner states as and for his Application the following:

- 1) On 3/6/2018, Petitioner signed a Fee Agreement with Dawson, P.L.C. for representation in the U. S. District Court for the Eastern District of Virginia (hereafter “VAED”) and paid Dawson, P.L.C. \$22,500.
- 2) On 3/28/2018, Civil Action Case No. 1:18-cv-346 was filed costing Petitioner a filing fee of \$200.
- 3) On 4/24/2019, The VAED granted Defendant Vega’s Summary Judgment Motion after Dawson, P.L.C. failed to present Petitioner’s complete Disputed Statement of Facts in the Summary Judgment Proceeding.
- 4) On 5/21/2019, Petitioner had prepared a FRCP Rule 59 Motion for New Trial; Altering or Amending a Judgment with his belated but complete Disputed

Statement of Facts for Dawson, P.L.C. to file via its attorney SW Dawson, Esquire.

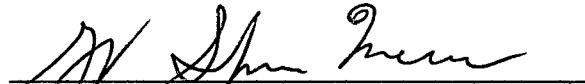
- 5) SW Dawson, Esquire refused to file Petitioner's FRCP Rule 59 Motion for New Trial; Altering or Amending a Judgment, attacked it as "rife with irrelevant and demonstrably incorrect information," "objectively frivolous," and claimed it was not a pleading counsel would be ethically permitted to file.
- 6) SW Dawson, Esquire told Petitioner that counsel would have to withdraw in order for Petitioner to file *pro se* his FRCP Rule 59 Motion for New Trial; Altering or Amending a Judgment by 5/23/2019 when the FRCP Rule 59 Motion was actually due 5/22/2019.
- 7) Petitioner had no choice but to fire his Counsel which Withdrawal of Counsel the VAED granted on 5/22/2019 as Petitioner filed *pro se* his FRCP Rule 59 Motion for New Trial; Altering or Amending a Judgment.
- 8) Petitioner filed *pro se* a timely 5/24/2019 Notice of Appeal to the U. S. Court of Appeals for the Fourth Circuit (hereafter "Fourth Circuit") with a filing fee of \$505.
- 9) Petitioner proceeding through the Fourth Circuit *Gregory S. Mercer v. E. A. Vega*, Case No. 19-1584 as a *pro se* Appellant.
- 10) On 2/3/2020, the Fourth Circuit denied Petitioner's 12/12/19 Informal Petition for Rehearing.
- 11) The SCOTUS extended the time for filing a Petition for Writ of Certiorari from 90 days to 150 days due to COVID-19 on or about 3/19/2020.

- 12) Petitioner has until 7/2/2020 to file his Petition for Writ of Certiorari to the Fourth Circuit in this SCOTUS.
- 13) The SCOTUS allowed one copy of Petitions for Writ of Certiorari to be filed due to COVID-19 on or about 4/15/2020.
- 14) Petitioner has been using the extra time to perfect his *pro se* Petition for Writ of Certiorari to the Fourth Circuit.
- 15) Petitioner prepared his large Appendix first and now types his Concise Statement of the Case and Concise Argument Sections for his Petition for Writ of Certiorari.
- 16) Petitioner passed his Rule 33.1(d & g) 9,000 Word Limit today and Sunday, 6/28/2020.
- 17) In accordance with Rule 33.1(d), this Application should have been filed 15 days before 7/2/2020 but Petitioner had no idea on 6/17/2020 he was going to run over 9,000 words writing a Petition for Writ of Certiorari with two Circuit Court Splits and a Question of Exceptional Importance.
- 18) In accordance with Rule 33.1(d), Petitioner needs “extraordinary circumstances” for the expansion of words in excess of the Rule 33.1(g) 9,000 Word Limit.
- 19) Petitioner argues hiring Competent Counsel who abandons him in the VAED after taking Petitioners \$22,500 leaving Petitioner to continue *pro se* through the Fourth Circuit without being able to afford new Competent Council is a hardship.

20) Petitioner estimates he needs another 1,200 words in excess of 9,000 to do his Petition for Writ of Certiorari to the Fourth Circuit justice then prepare one copy for the court by 7/2/2020 with the \$300 filing fee.

WHEREFORE, Petitioner, *pro se*, moves the Circuit Justice for the U. S. Court of Appeals for the Fourth Circuit (Chief Justice John G. Roberts, Jr.) for an Expansion of the Rule 33.1(g) 9,000-word Word Limit to 10,200 words due to hardship.

Respectfully Submitted,



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