

Motion to direct the clerk to file the petition out time

1.A Court clerk from this court told me Goodwine vs Amtrak closed 1/17/2020, generating a due filing of 6/15/2020, 2d Cir 19-2599 doc 52, supports 1/17/2020. However, Mr. Higgins 1/7/2020 date shift my due date to 6/7/2020. While I am currently on blood thinner etc. for Heart & lung blood clots, more susceptible to Coronavirus, I experienced no taste & no smell medically documented weeks prior media noting, these are symptoms of Coronavirus, or told by another Courts clerk, of additional 150 days, meaning an extra 2 months, this is in fact what happen & to be taken for the truth it is. I would not miss postmarking 6/15/2020 jeopardizing years of injustice unless the court told me there was additional time. This error, effects my life, causing me anxiety.

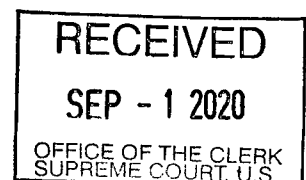
2.Principle & rule of law is undermined, not by Amtrak error to redact my social but defined by E.D.N.Y & 2d Cir. failure to enforce federal rule 5.2 a non-discretionary rule & legal defamation of Goodwine by false precedent where Goodwine vs Amtrak legal citation can be weaponized to targeted litigants social at will. This oppression undeniably leaves my identity, safety, life, health as well future at risk. Goodwine vs Amtrak deprived that promise of Due process when E.D.N.Y & 2d Cir. lack the commitment to capitulate, to the will of federal rule 5.2, leaves government complicit to Strict scrutiny of discrimination infringing upon a fundamental right beyond issues of equal protection, which the price of my failure is government failure to correct government failure. Let not a conflict of a date no fault of my own what is an opportunity for me of all under federal 5.2 including government be deprive a right to this potential selection process. Amtrak having a copy of my filing & Mr. Higgins declaring it late increases my safety issues & my anxiety. The following page was enclosed in 7/21/2020 here with explanation of my filing just in case.

Earl Goodwine

8/24/2020

*Earl Goodwine*

*8/24/2020*



On June 15 before I was going to mail my filing, I called the court in which I received a return call from 202 369 - 0051 to help answer a question before I submit my papers on June 15. During conversation, the nice lady informed me the due date was extended to one hundred & fifty days meaning I had additional time then what I was told the 1<sup>st</sup> time. She also informed me that I need only submit 1 copy which both were related to corona virus. I just attach this just in case for explanation sake & screenshot the call if ever needed.

Erin Headline  
7/20/2020

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

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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 9<sup>th</sup> day of January, two thousand twenty.

Present: Robert D. Sack,  
Peter W. Hall,  
Joseph F. Bianco,

Circuit Judges,

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Earl Goodwine,

Plaintiff - Appellant,

v.

Amtrak,

Defendant - Appellee.

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**ORDER**

Docket No. 19-1424

Appellant Earl Goodwine filed a motion for reconsideration and the panel that determined the motion has considered the request.

IT IS HEREBY ORDERED, that the motion is denied.

For The Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court


S.D.N.Y.-N.Y.C  
19-cv-2599  
McMahon, C.J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13<sup>th</sup> day of November, two thousand nineteen.

Present:

Robert D. Sack,  
Peter W. Hall,  
Joseph F. Bianco,  
*Circuit Judges.*

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Earl Goodwine,

*Plaintiff-Appellant,*

v.

19-1424

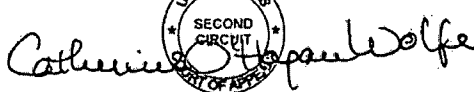
Amtrak,

*Defendant-Appellee.*

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Appellant, pro se, moves for leave to proceed in forma pauperis, to seal his address, and for “emergency relief.” Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e). Further, the Clerk’s Office is directed to update Appellant’s address to reflect his new address, which he provides on 2d Cir. 19-1424, doc. 31, page 6 (pdf pagination).

FOR THE COURT:  
Catherine O’Hagan Wolfe, Clerk of Court

A circular seal of the United States Court of Appeals for the Second Circuit is stamped over the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS".

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