

Case No -

21A324

In The

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

DEC 30 2021

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PAKEYBEY et al.,
Applicants/Petitioners,

VS.

LUMINANT MINING COMPANY LLC,
Respondent.

Application for an extension of time to file a
Petition for a Writ of Certiorari to the Supreme Court of the United States

APPLICATION TO THE HONORABLE JUSTICE SAMUEL A. ALITO, JR.

December 31st, 2021

Application Prepared By:

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In Proprio Persona Sui Juris

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APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicants, PakeyBey et al., hereby request a 60-day extension of time within which to file a petition for a writ of certiorari, up to and including Tuesday, March 15th, 2022.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *Luminant Mining Company LLC v. PakeyBey et al.*, No. **20-40803** (October 15th, 2021)(attached as Exhibit 1). The Fifth Circuit Court of Appeals denied Applicants' motion for rehearing or modification on October 15th, 2021 (attached as Exhibit 2).

JURISDICTION

This Court will have jurisdiction over any timely-filed petition for writ of 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 January 13th, 2022. 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

Applicants respectfully request a 60-day extension of time within which to file a petition for a writ of certiorari, seeking review of the decision of the Fifth Circuit Court of Appeals in this case, up to and including March 13th, 2022.

1. Applicants have ended the legal services of Clark Hill LLP, who represented the Applicants during the Appeals process in the Fifth Circuit Court of Appeals, and is now proceeding In Proprio Persona Sui Juris (Pro Se). An extension of time will permit the Applicants the time necessary to complete a cogent and well-researched petition, which

is supported in the decision *Haines v. Kerner*, 404 U.S. 519 (1972), affording the Applicants the opportunity to present evidence of our claims without being dismissed.

CONCLUSION

For the foregoing reasons, Applicants respectfully request that this Court grant an extension of 60 days, up to and including March 13th, 2022, within which to file a petition for a writ of certiorari in this case.

In Honor,

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Exhibit 1