

IN THE
Supreme Court of the United States

KATHERINE ALBRECHT,

Plaintiff,

v.

DANA ALBRECHT,

Applicant-Defendant.

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR WRIT OF CERTIORARI**

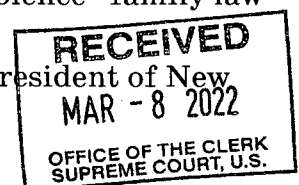
TO THE HONORABLE STEPHEN G. BREYER, ASSOCIATE JUSTICE OF
THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT
JUSTICE FOR THE FIRST CIRCUIT:

Pursuant to this Court's Rules 13.5, 22, 30.2, and 30.3, Applicant Dana Albrecht, who was defendant and then appellant in the proceedings below, respectfully requests a 60-day extension of time, to and including May 15, 2022, to file a petition for a writ of certiorari to review a December 16, 2021 decision of the New Hampshire Supreme Court, Case No. 2021-0192.¹

As grounds, it is stated:

This is multi-state diversity of citizenship "domestic violence" family law case. The parties reside in different states; the Defendant is a resident of New

¹ Attachment A.



Hampshire, the Plaintiff is presently a resident of Michigan, and was a resident of California when this “domestic violence” action was first filed.

The case arises out of events that took place on Sunday, November 3, 2019, at Collinsville Bible Church² located in Dracut, Massachusetts, wherein the Defendant was convicted of committing “domestic violence” by sitting quietly, peacefully, and alone in a church pew during a public worship service, hoping to see his children.

There was no contact whatsoever between the parties on that day.

The trial court (Judge Mark S. Derby) stated³ that “Plaintiffs in their domestic violence petitions are not required to identify by name and citation which crimes [emphasis added] in RSA 173-B:1 the defendant has committed. The defendant and the court discern it from the facts that the plaintiff pleads, and that is what happened here.”

However, the Defendant continues to maintain that he has not been able “to discern” what alleged crimes [emphasis added] he has committed, from “the facts that the plaintiff pleads,” and that this raises serious “due process” concerns.

In particular, the trial court (Judge Mark S. Derby) originally found against the Defendant, because the Defendant did not have scheduled parenting time on that Sunday. Judge Derby made that determination based on a May 30, 2019

² Collinsville Bible Church maintains close ties to Bob Jones University. Cf. *Bob Jones Univ. v. United States*, 461 U.S. 574 (1983), that describes the church’s teachings.

³ See trial court *Order on Motions*, provided here as Attachment F.

parenting order⁴ in the parties' related divorce case, that was issued by former trial court judge Julie Introcaso.⁵

That May 30, 2019 parenting order relied upon the recommendations of Ms. Introcaso's close friend, the *Guardian ad Litem* Kathleen Sternenberg. As a consequence of the subsequent investigation into this conflict of interest,⁶ Ms. Introcaso was later charged with two class B felonies, removed from the bench, entered an Alford plea, and was eventually disbarred.⁷

Consequently, by way of contrast, the Defendant has at least been able to discern, what crimes the judicial officers involved in his case, have committed.

The Defendant asserts that he is a peaceful person,⁸ has never committed a violent act, is innocent of any wrongdoing, and that the New Hampshire courts have made substantive errors of both fact⁹ and law. Further, the Defendant has now been subjected to repeated, and proven, judicial misconduct by three different New Hampshire judicial officers: Paul S. Moore,¹⁰ Julie A. Introcaso,¹¹ and Bruce

4 See United States Supreme Court Docket No 19-8108.

5 Judge Introcaso was subsequently criminally convicted and disbarred. See Attachment L.

6 The parties' divorce case is among the list of nine New Hampshire family law cases, in which Ms. Introcaso appointed her close friend, despite the conflict of interest. Marital Master Bruce F. DalPra also knew about this conflict since 2014, but failed to disclose it.

7 See Attachment L.

8 "Maybe, just maybe, one day Hitch and Sprout will believe Sunny Bunny, but the important thing is that she stands up for what she believes in." Cf. *Silva v. Silva*, NH Supreme Court, Nos. 2016-0478, 2017-0063, 2019-0365, 2019-0390, and 2020-0152.

9 Defendant further asserts that the New Hampshire Supreme Court's errors of fact in this case rise to the serious level of obvious "plain error" that this Court is authorized to correct. See *United States v. Olano*, 507 U.S. 725 (1993).

10 See Attachment M.

11 See Attachment L.

F. DalPra.¹² This misconduct has also been publicly acknowledged in both state and national news coverage of the parties' case.¹³

The Defendant also maintains that he has been subjected to repeated, and ongoing, false allegations by Plaintiff. Cf. *State v. Ruggiero*, 35 A. 3d 616 N.H. (2001).

Nevertheless, the New Hampshire Supreme Court most recently has now refused to consider any of Defendant's substantive arguments raised on appeal, preferring instead to issue a narrow ruling simply disqualifying yet another New Hampshire trial court judicial officer. Indeed, the lower state appellate court most recently ordered that:

We express no opinion as to the merits of the underlying motion to extend the protective order. However, in light of the unique circumstances of this case, the protective order shall remain in place pending the outcome of the new hearing.

Accordingly, the New Hampshire Supreme Court simply refused to consider any of Defendant's substantive arguments made concerning "the merits of the underlying motion¹⁴ to extend the protective order," furthered ordered that "the protective order shall remain in place;"and, consequently, that it shall remain in place past its original expiration date of December 29, 2021.¹⁵

¹² See Attachment A.

¹³ See, e.g. Judicial Officer Sidelined From Divorce Case After Calling Kids a 'Bunch of Morons,' published in the Daily Beast, December 17, 2021, and available online.

¹⁴ See Attachment C.

¹⁵ See Attachment B.

As a result, the Defendant now continues to remain subject to an unconstitutional protective order that would have otherwise expired on December 29, 2021, had Defendant simply never appealed it to the New Hampshire Supreme Court in the first place.

Moreover, and pursuant to NH Rev Stat § 173-B:5, VI, the Defendant now continues to remain subject to this unconstitutional order because of a so-called “one-year extension” of the the Final Protective Order issued on December 21, 2020 that now presently expires on February 25, 2023.¹⁶

This “does not make sense,” concerning any “plain and ordinary meaning.” See *Hogan v. Pat’s Peak Skiing, LLC*, 121 A. 3d 827 N.H. (2015), and *Longshoremen v. Philadelphia Marine Trade Assn.*, 389 U.S. 64 (1967).

Finally, and a mere seven days before the New Hampshire Supreme Court’s final decision in this case, the New Hampshire Supreme Court also convened an ad-hoc multidisciplinary task force “committed to ensuring that all victims of domestic violence [i.e. plaintiffs] ... have full and fair access to the justice system, including proper resources to assist in court cases, knowledgeable advocates, court staff, and judges to explain the court process and legal standards ...”¹⁷

However, the New Hampshire Supreme Court has remained, to date, utterly silent concerning whether any defendant, in New Hampshire, ought to have any similar rights. This is a complete reversal of all traditional American

¹⁶ See Attachment D.

¹⁷ See the New Hampshire Supreme Court’s December 9, 2021 Order, annexed hereto as Attachment H.

jurisprudence. Cf. *Gideon v. Wainwright*, 372 U.S. 335 (1963); *Miranda v. Arizona*, 384 U.S. 436 (1966).

Reasons for Granting an Extension of Time

The time to file a petition for a writ of certiorari should be extended for the following reasons:

1. There have been subsequent “intervening matters” of material relevance since the New Hampshire Supreme Court issued its final decision. Cf. Rule 25.6 of this Court.
2. In particular, as of today, March 5, 2022, the New Hampshire Judicial Branch (NHJB) has still not released the Report of the New Hampshire Domestic Violence Task Force, ordered by the New Hampshire Supreme Court to have been completed on or before March 1, 2022, and publicly released.
3. NHJB General Counsel Mary Ann Dempsey has further represented to Defendant that the reasons for not releasing this Report are that “the Report does not constitute a governmental record under Part I, Article 8 of the New Hampshire Constitution.”¹⁸
4. In addition, on February 15, 2022, former judge Julie Introcaso wrote the Defendant an email¹⁹ stating that “I have no recollection of you personally, any facts of your case, or having co-signed many orders, given the nature and volume

¹⁸ See email dated March 4, 2022, annexed hereto as Attachment G.

¹⁹ Annexed hereto as Attachment J.

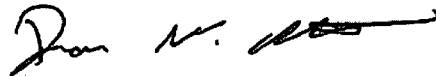
of my judicial work,” despite having signed numerous orders in the parties’ related divorce case, that Ms. Introcaso had previously called “notorious” in her sworn deposition.²⁰

5. Applicant has not had adequate time since these “intervening matters,” and substantially because of them, to prepare.

6. Applicant’s need for additional time is further heightened by the fact that he is *pro se*, and has no formal training in the law.

These reasons afford good cause for a sixty-day extension to and including May 15, 2022.

Respectfully submitted,



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March 5, 2022

²⁰ See excerpt of Deposition, Attachment K, at 165:19.