

No. _____
(Ref. Case No. 200953)

In the

SOPREME COORT OF THE ONTTED STATES

Crystal VL Rivers,
Petitioner

v.

City of Lynchburg, United States of America,
Respondents

Motion to File a Petition for a Writ of Certiorari Out of Time

Crystal VL Rivers, Petitioner, Pro Se
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Lynchburg VA 24501
riversparalegalservices@gmail.com
434-818-2921

Date: October 26, 2021

MOTION TO FILE OUT OF TIME

Petitioner respectfully requests this Court allow her to file her Petition for Writ of Certiorari out of time, and hold the Petition, which is related to Crime Victims' Rights Act (CVRA), until the CVRA matter in *re Courtney Wild* (21-351) has been decided.

REASONS JUSTIFYING AN EXTENSION OF TIME

1. Extraordinary circumstances.
2. Petitioner made an excusable error in mailing the Petition on October 14, 2021, two days after the due date, postage paid with the US Postal Service for two day delivery set for October 15, 2021 (within three days after the Petition was due on the 12th of October).
3. *Wild* is the controlling authority of the Applicant's Crime Victim's Rights Act (CVRA) matter ripe for filing in this Court.
4. Petitioner has standing as a crime victim, obtained newly discovered evidence, has been advised the criminal investigation is ongoing, and requested the status related to this matter from the United States without success.

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court grant her motion and hold her Petition until after this court decides the final outcome *in Wild*.

Respectfully submitted, "veritas"

A large, stylized handwritten signature in black ink, appearing to be a cursive representation of the name 'Crystal VL Rivers'.

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cc All parties reprinted

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 9th day of February, 2021.

In Re: Crystal VL Rivers, Petitioner

Record No. 200953

Upon a Petition for a Writ of Mandamus

Upon consideration of the petition for writ of mandamus filed July 22, 2020, the respondents' motions to dismiss, and the petitioner's reply, the Court is of the opinion that the writ should not issue.

Petitioner seeks a writ of mandamus prohibiting Peter O. Ward, Assistant Commissioner of Accounts, and Judge William N. Alexander, II, of the Circuit Court of the City of Lynchburg, from issuing rulings "prejudicing" her case currently pending in the United States District Court for the Western District of Virginia by "prematurely approving the incomplete accounting of foreclosure" on a property that is the subject of underlying circuit court proceeding before Judge Alexander. Petitioner asks this Court to reverse a decision of the circuit court entered on March 31, 2020 that confirmed Ward's amended report of the foreclosure accounting. The circuit court specifically found petitioner was not a party to the action and had no standing to participate in the matter. The court further ordered petitioner to pay a portion of Ward's fees plus costs and interest because her conduct during the action caused the process to be more expensive.

The Court holds the writ of mandamus does not lie, as petitioner has not identified a ministerial duty which the respondents failed to perform. "Mandamus is an extraordinary remedy that may be used to compel performance of a purely ministerial duty, but it does not lie

can explain why there is no adequate remedy at law). Challenges to Ward's report of the foreclosure accounting and the circuit court's March 31, 2020, order are appropriately raised as a writ of error in an appeal following the conclusion of the proceeding.

It is therefore ordered that the petition be dismissed.

A Copy,

Teste:

Douglas B. Robelen, Clerk

By:



Deputy Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 14th day of May, 2021.

In Re: Crystal VL Rivers, Petitioner

Record No. 200953

Upon a Petition for Rehearing

On consideration of the petition of the petitioner to set aside the judgment rendered herein on February 9, 2021 and grant a rehearing thereof, the prayer of the said petition is denied.

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