

NO. 21A 838

IN THE
SUPREME COURT OF THE UNITED STATES

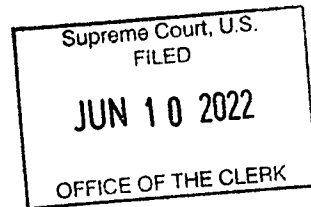
M. STEPHEN MINIX, SR., PRO SE

Petitioner,

v.

CHARITY STONE, ET AL

Respondents.



On Petition for a Writ of Certiorari to the
United States Court of Appeals for the Sixth Circuit

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

A handwritten signature in black ink, appearing to read "M. Stephen Minix, Sr.", written over a horizontal line.

M. STEPHEN MINIX, SR., PRO SE
P.O. Box 23656
Lexington, Ky. 40523
(606) 367-2669
Minixsr@gmail.com

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

In accordance with Rule 13.5 of the United States Supreme Court Rules, M. Stephen Minix, Sr., Pro Se, requests a sixty-day extension of time to file his Petition for Writ of Certiorari. This application is submitted more than ten (10) days prior to the scheduled filing date for the petition, which is June 12, 2022.

1. In support of this application, Minix states he raises three important constitutional questions:
 - a. Did Respondent State Trial Court Judge deprive Mr. Minix of due process and lose judicial immunity under *Stump v. Sparkman* by adjudicating Respondent Charity Stone's 2009 moot claim which he was expressly prohibited to entertain upon subsequent issuance of *Osborne v. Keeney*, 399 S.W. 3d (Ky.Sup.2012)?
 - b. Did the Respondent Judge deny Petitioner Minix his right to notice and to be heard in state court action by proceeding, after he filed his Appearance, as if Petitioner Minix "has failed to come before this Court"?
 - c. Did Respondents deny Petitioner Minix due process by:
 - (a) sending him every notice in state trial court to one or both defective mailing addresses?
 - (b) by perpetrating fraud on the court that Mr. Minix's appearance had been stricken?
 - (c) by failure to intervene?
2. On March 14, 2022, the United States Court of Appeals for the Sixth Circuit entered Order denying Mr. Minix's petition for an en banc hearing in 7:20:cv-00135 and on February 7, 2022 entered its decision. Appended Exhibits A and B, respectively.
3. The Supreme Court has certiorari jurisdiction over this case under 28 U.S.C. § 1254(1).
4. Minix currently has until June 12, 2022 to file a petition for writ of certiorari. See U. S. S. Ct. R. 13.1.
5. Minix request an additional sixty days to properly prepare and file his petition for writ of certiorari.

6. Minix has suffered right hand surgery and has been unable to write and type such that he can complete and file the writ timely. Additionally, Minix has also suffered hip surgery. Also this case contains voluminous entries which take him a great deal of time to prepare as an appendix. Thus, granting an additional 60 days will ensure he can raise these issues.

Wherefore, Minix requests that he be granted a sixty-day extension of time within which to file a petition for writ of certiorari.


M. STEPHEN MINIX, SR., PRO SE
P.O. Box 23656
Lexington, Ky. 40523
(606) 367-2669
Minixsr@gmail.com

PROOF OF SERVICE

I, M. STEPHEN MINIX, SR., do swear or declare that on this date March 31, 2022, I have mailed the enclosed APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A PETITION FOR WRIT OF CERTIORARI to Office of the Clerk United States Court of Appeals for the Sixth Circuit, 540 Potter Stewart U.S. Courthouse 100 E. Fifth Street, Cincinnati, Ohio 45202-3988 and an exact copy on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above document in the United States mail properly addressed to each of them and with first-class postage prepaid. The names and addresses of those served are as follows:

1. AARON J. STILETTO, OFFICE OF THE ATTORNEY GENERAL, 700 Capital Avenue, Suite 118, Frankfort, KY 40601 attorney for RESPONDENTS JOHN. DAVID CAUDILL, DOUGLAS RAY HALL, and DENISE PORTER;
2. KEITH J. LARSON, ESQ., Meidinger Tower, 22nd Floor, 462 South Fourth, Louisville, Ky. 40202 attorney for RESPONDENTS KEITH J. LARSON, CHARITY STONE, ROBIN SIMPSON SMITH, DAVID M. CANTOR, WILLIAM P. HARBISON, and SEILLER WATERMAN, LLC.
3. RESPONDENT PATRICIA THACKER (NOW CLEVINGER) PRO SE, 468 Grassy Branch, Raccoon, Ky. 41557;
4. RESPONDENT JOSEPH GOFF, PRO SE, P.O. Box 1318, Pikeville, KY 41502-661;
5. MARK S. FENZEL, MIDDLETON REUTINGER, 401 South Fourth Street Suite 2600, Louisville, KY 40202, attorneys for RESPONDENT JIM WEBB; and
6. JOSEPH GOFF, ESQ., PRO SE, P.O. Box 1318, Pikeville, KY 41502-661;

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 31, 2022


M. STEPHEN MINIX, SR., PRO SE