

**IN THE SUPREME COURT OF THE UNITED STATES**

No. \_\_\_\_\_

No. 21-16454 Ninth Circuit

No. 2.18-cv-00414 JJT USDC AZ-Phoenix

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**RICHARD RYNN, next friend and parent of MR, a minor,**

**Applicant and Petitioner**

**V.**

**GEORGE A Mckay, in his official capacity as Director of the Arizona  
Department of Child Safety, and personally, et al**

**Respondents**

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**APPLICATION FOR AN EXTENSION OF TIME TO FILE A  
PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES  
COURT OF APPEALS FOR THE NINTH CIRCUIT**

**Richard Rynn  
1299 E. Marlin Drive  
Chandler, AZ 85286  
(520)510-6370  
Applicant Petitioner**

Petitioner Richard Rynn requests a 60-day extension of time within which to file petition for writ of certiorari in accordance to Supreme court Rule 30.4 and from the disposition of appeal from the Ninth Circuit of Appeals on March 1, 2023. Petition for certiorari was due by May 30, 2023. Petitioner requests an extension of sixty days until July 29, 2023, to file petition for a writ of certiorari.

Petitioner Plaintiff emailed Defendants on May 15, 2023, for their position on the sixty-day extension to file certiorari. State Defendants replied opposing, Desert Vista Opposing, Quail Run no answer, La Frontera no answer.

Petitioner has multiple lawsuits in litigation at the same time in state and U.S. District court related to this Appeal. It will take more time than allotted in the rules for filing certiorari for the multiple Defendants. Petitioner has multiple cases with rulings on same day and is overburdened by being required to file multiple briefs and multiple certioraris with same due date. Petitioner needs more time to read, analyze and make cross references to complete certioraris. Petitioner

Courts failed to rule on material facts of case. Court failed to rule on cause of actions on April 24, 2017. Courts Failure to correct errors in material facts affected subject matter of final judgement. Plaintiff has proven fraud, as court ruling of an *“arrival”* of Defendant DCS is in direct contradiction to DCS *“did not arrive”* to Plaintiff and did not arrive to Plaintiff daughter on April 24, 2017. (Doc. 13-2, pg. 4-5)

Plaintiff claims under 42 U.S.C. 1983, from interference in legal custody, an unlawful color of law seizure without cause on April 24, 2017, by private companies UHS and La Frontera for the state without obtaining legal custody by a phone call from the state during daughter discharge to go home as contractually required per medical order. (Doc. 13-2, pg. 1-12, Doc. 13-2, pg. 4-5, Doc. 60)

Conflict of interest District court Judge John Tuchi failed to reveal wife employed for state Defendant DCS causing bias and unfair ruling. (Doc. 101 pg. 2)

Dispute unresolved. Court cannot dismiss case while triable issues of material fact remain in dispute that DCS did not take custody and did not arrive on April 24, 2017. In order for state to take custody of MR

state must seize MR.. State DCS did not seize and did not take custody of Plaintiff daughter on April 24, 2017, and there was no threat.

(Dist Ct. Doc. 59, 8/16/18 Page 2 of 9) District court Order: *When Rynn and his wife went downstairs to inquire about M.R.'s extended stay, Zammit said she was calling the police and DCS. When DCS arrived, Zammit reported that Rynn "threatened to kill them all," which Rynn denied. DCS took custody of M.R. and did not return her to her parents.*

District court ruling in direct contradiction to evidence and contradiction to Plaintiff Rule 60 motion and rule 59 motion. (Doc. 82, 84, 98) DCS did not take custody, no threat, DCS did not arrive on April 24, 2017, proving color of law seizure under color of law by private companies QR. and LF. as state actors for state. La Frontera and Quail Run UHS did not release daughter not DCS. Dist. Ct. judgement is in contradiction to material evidence and in contradiction to material facts of causes of action on April 24, 2017.

No final judgment as it is apparent from the record factual actions on April 24, 2017, was not adjudicated. The truth matters, court must

have accurate material facts or judgement is void. State cannot lie of custody without cause, without arriving to Plaintiff and daughter MR. on April 24, 2017. Plaintiff complaint is about a paper (fraudulent document) not an arrival. Paper faxed to QR. on April 24, 2017, is now known as fraudulent and not legal. Plaintiffs' complaint said Plaintiff was given a document that said DCS took legal custody. (Doc. 60 pg. 5) a document given by La Frontera to Plaintiff not by state in contradiction (fraud) to District Court ruling: *DCS arrived, DCS took custody, and DCS did not return her.* (Document 59 Filed 08/16/18 Page 2)

Plaintiff objects to State Defendants falsification of material facts on brief to district court (perjury) State Defendants said: *state took emergency custody of MR and filed a dependency petition.* (Doc. 62 page 3)

In order for state to take custody of MR state must seize MR..

It is apparent from the record State failed to seize MR. on April 24, 2017. It is apparent from the record there was no emergency and State did not take custody of Plaintiffs daughter on April 24, 2017. State was not at location of MR and did not see or touch, did not talk to Plaintiff

daughter MR. on April 24, 2017. State did not have authority to phone and fax QR. and LF on April 24, 2017, and lie about a custody as Plaintiff daughter custody belongs to legal birth parent Plaintiff Richard. State did not file a court petition until four days later on April 28, 2017. (Doc. 62-1, pg. 1-20) The DCS four days later filed petition is proven false, fraudulent, slanderous, not legal as proven filed ex parte, without a summons, and without service to Plaintiff in violation of due process, and without notifying the court that state did not seize Plaintiff daughter on April 24, 2017.

Private companies Quail Run and La Frontera for profit seized (kidnapped) Plaintiff daughter at facility of Quail Run during discharge to go home under color of law for state and not by state. Defendants interfered in custody, parental rights, caused intentional emotional distress and violated constitutional and civil rights. Case now expanded into multiple state court cases with errors in rulings with multiple contradictions to multiple judge's rulings and continues unresolved. District court should have combined state and federal cases to resolve dispute with a final judgement with a correction of material facts of causes of action of injuries on April 24, 2017, and the accrual of causes

of action of injuries to October 2018. Plaintiff has personal knowledge of material facts in dispute. Wherefore, Petitioner prays that this court find good cause to extend the time to file a writ of certiorari to this court to July 22, 2023, and to enter such orders as are just and proper in these premises.

RESPECTFULLY SUBMITTED

this 23<sup>rd</sup> day of May 2023.

  
Richard Rynn