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IN THE SUPREME COURT OF THE UNITED STATES

JEFFREY L. CLEMENS,	)	Case No. [1 <sup>st</sup> Circuit]: 21-1518
	)	
Petitioner,	)	<b>PETITIONER’S APPLICATION</b>
	)	<b>FOR AN EXTENSION OF TIME</b>
v.	)	<b>TO FILE HIS PETITION FOR A WRIT</b>
	)	<b>OF CERTIORARI</b>
MICHAEL J. O’HARA, et al.,	)	
	)	Rule 22
Respondent[s].	)	
_____	)	


The petitioner, Jeffrey L. Clemens, for good cause shown, does hereby request an extension of time to file his Petition For a Writ of Certiorari in the above-referenced case entitled Clemens v. O’Hara and originally filed in the U.S. District Court/Boston, Case No. 20-cv-12083-FDS. The First Circuit, after consideration of a Petition For Panel Rehearing, issued its final mandate on March 10, 2023, thus establishing June 10, 2023 as the date upon which a Petition For a Writ of Certiorari is otherwise due.

However, several events have served to delay preparation of a petition. For one, the petitioner, in March and most of April, and into May, spent considerable time and effort to secure licensed counsel having specialized experience with Supreme Court filings, to no avail. After numerous inquiries to well-established litigators [Neal Katyal and others], and having experienced the cumulative effects of waiting out their responses [most citing availability

issues, *not* lack of a meritorious case], it has only recently become apparent that the plaintiff-appellant-petitioner himself will have to prepare and file such petition. But most especially, furthermore, on the behest of the plaintiff-appellant-petitioner, as of mid-February, there has commenced a criminal investigation involving many of the defendants in this action, and others [See Attached DOJ Letter Dated May 16, 2023]. It would be wise and prudent, at this time, to not immediately file a petition as: [A] there may be no need to do so if collateral review in the lower courts is made possible through the investigation and its affects, or [B] information derived from said investigation may dictate as to what precise tone and content such petition would necessarily have or contain and to what exact approach it will take. See Document 40, Clemens v. Stewart, Case No. 22-cv-10593-DJC, USDC/Boston.

Given the above, the petitioner therefore prays for an extension of sixty [60] days to complete and submit his petition and to allow other related legal process. Issues on appeal primarily involve “plausibility” with respect to pleading standards and this court’s *Iqbal* case and are therefore of great and national importance. At this point, an extension will help assure that this court receives – if it receives anything at all – the clearest and best petition possible so that it is better able to properly consider the issues.

Respectfully submitted,



Jeffrey L. Clemens

Dated this 25<sup>th</sup> day of May 2023

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