

Application for Extension of Time to File

May 25th, 2023

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| <u>Applicant</u> : Joseph Counts Defendant - Appellant Pro Se | | <u>First Circuit</u> No. 22-1841 <u>District Court of Maine</u> 22-CR-00108-SAW |
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Jurisdictional Basis: On October 7th, 2022

the District Court of Maine entered an order remanding defendant's (Counts) Notice of Removal back to the State of Maine. On February 16th, 2023 the First Circuit Court of Appeals issued a judgment affirming the district court's order, but on different grounds, and on March 7th, 2023, the First Circuit entered an order denying Counts' Petition for Rehearing and thereby triggering jurisdiction of the Supreme Court.

Judgment Sought to be Reviewed: Counts seeks

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Writ of Certiorari for review of both the district court's reasoning for summary remand and the First Circuit's judgment affirming the remand on the grounds of which they did.

Reasons why Extension is Justified: Most narrowly Counts cannot afford the stamps and envelopes to mail in his petition for Writ of Certiorari, but more importantly, these orders or judgments Counts seeks review on make our criminal justice system appear incapable of fulfilling its obligations to the American people, and if Counts can get the stars to align for him just a bit more with regard to his finances,

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then he'd like the opportunity available over

the next 60 days to be able to petition

the Court for Writ of Certiorari.

Certification of Service:

J. Counts 5-25-23
Joseph Counts

Jefferson County Jail

911 Casey Ave

Mt. Vernon, IL 62864

I, Joseph Counts, certify
NO copy has been sent to
the attorneys for the
State of Maine as they
withdrew from the Appeal
while in the First Circuit and
the issues presented are mostly a
matter of court and/or federal
preference. Their reasoning for
withdrawing was that "since they
did not take part in the district
court's action either".

J. Counts 5-25-21
Joseph Counts

**United States Court of Appeals
For the First Circuit**

No. 22-1841

STATE OF MAINE,

Appellée,

v.

JOSEPH COUNTS,

Defendant - Appellant.

Before

Barron, Chief Judge,
Lynch and Montecalvo, Circuit Judges.

ORDER OF COURT

Entered: March 7, 2023

Defendant-Appellant Joseph Counts' "motion to reconsider" is construed as a petition for panel rehearing and is denied.

By the Court:

Maria R. Hamilton, Clerk

cc:

Joseph Counts

Donald W. Macomber

Aaron M. Frey

on the face of the notice [of removal] and any exhibits annexed thereto that removal should not be permitted." 28 U.S.C. § 1455(b)(4); cf. 14C Charles A. Wright et al., Federal Practice and Procedure § 3733 (4th ed. rev., Apr. 2022 update) (explaining in the context of the civil removal statute that the requirement of a "short and plain statement of the grounds for removal" means that "the removal notice must make the basis for federal jurisdiction clear, and contain enough information so that the district judge can determine whether jurisdiction exists").

Affirmed. See 1st Cir. R. 27.0(c). Counts' pending "Motions for Review of District Court Order" are denied as moot.

By the Court:

Maria R. Hamilton, Clerk

cc:

Joseph Counts
Donald W. Macomber
Aaron M. Frey

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