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I N T H E  
S U P R E M E C O U R T O F T H E  
U N I T E D S T A T E S O F A M E R I C I A

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ALICIA MARIE RICHARDS & LAWRENCE REMSEN, et al.,

Plaintiffs, et al.

- Against -

KATHLEEN ALLISON, Secretary, California  
Department of Corrections & Rehabilitation;  
JENNIFER SHAFFER, Exec. Officer of  
the State's Parole Agency; ROB BONTA, as  
State Attorney General; GAVIN C. NEWSOM,  
Governor of California

Defendants, et al.

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WRIT OF CERTIORARI AND REQUEST OF EX-  
TENSION OF TIME TO FILE COMPLAINT FOR  
DECLARATORY & INJUNCTIVE RELIEF ON A  
DENIAL OF A WRIT OF MANDAMUS WITHOUT  
A DECISION ON THE MERITS FOR RELIEF.

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PURSUANT TO:

U.S. Sup. Ct. R. 13.5, 30.2, & 30.3

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ALICIA M. RICHARDS & LAWRENCE REMSEN, et al.  
CIM Alpha - Seven  
P.O. Box - 3100  
Chino, CA 91708

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2 Post Office Box No. 3100  
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3 Phone No. (909) 597-1821

4  
5 **IN THE**  
6 **UNITED STATES SUPREME COURT**  
7 **FOR THE UNITED STATES OF AMERICA**

8  
9 STATE AND FEDERAL TAXPAYER  
10 COALITION, LAWRENCE REMSEN,  
11 GREGORY REMSEN, and ALICIA  
RICHARDS, AND DOES 1 TO 100  
INCLUSIVE

12 **Petitioners**

13 v.

14 XAVIER BECERRA, California  
15 Attorney General, RALPH M.  
DIAZ, Secretary of CDCR,  
16 JENNIFER SHAFFER,  
Executive Officer of the BPH,  
17 GAVIN NEWSOM, Governor of  
California, and DOES 1 to 10,  
inclusive.

18 **Respondents**

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

Cal. S.Ct. No. S278476

**REQUEST FOR EXTENSION OF TIME**

20  
21 **TO THE HONORABLE ASSOCIATE JUSTICE ELENA KAGAN**

22 INTRODUCTION

23 (1). Petitioners are respectfully requesting this Court to grant  
24 them a 60-day extension of time to file for Certiorari in this court for  
25 all the following reasons. Petitioners have exhausted their remedies in  
26 the State but their claims were never litigated or decided in any prior  
27 proceeding on their merits and within the meaning of the term which,  
28 Petitioners' posit, violated State and United States Supreme Court

1 precedent and Constitutions (See: Lucido v. Superior Court, 51 Cal.3d  
2 336, 341-342 [272 CR 767] (1990) & Sanders. v. United States, 373 U.S. 1,  
3 8 & 15-16 [83 S.Ct. 1068] (1963)).

4 (2). Petitioners brought their Writ of Mandamus to stop the  
5 unlawful bleeding of Taxpayer dollars used to imprison people under a  
6 repealed and void law and to force the Defendant for the Department of  
7 Corrections (CDC&R) to release on parole all offenders once their earned  
8 Pen. Code § 2931 Credits have vested and who are entitled to earn good-  
9 time and participation credits equally and to enjoin the Parole Agency  
10 from exceeding its jurisdiction and to cease and desist from holding so-  
11 called suitability hearing against a class that was expressly excluded  
12 from the Parole Agency's jurisdiction by law (See: Petitioners' Table of  
13 Attachments in support of Petitioner's case).

14 (3). Petitioners' Writ of Mandate was straight forward because it  
15 was based on indisputable factual and statutory evidence that proved:

- 16 1. The State's Indeterminate Sentencing Law (ISL) was repealed and  
17 has never been lawfully reenacted in accordance with the Rule  
18 of Law;
- 19 2. The State Parole Agency's Jurisdiction and Power to Parole was  
20 confined in Senate Bill 42 to Category Five Crimes whereby the  
21 person is sentenced to "Straight Life" a sentence that has no  
22 minimum term and all other offenders whose crime is categorized  
23 at less than category five must have a fixed term and a  
24 specific parole date set or they have been denied due process  
25 and equal protection of the State's Determinate Sentencing Law  
26 (DSL) and the Fourteenth Amendment to the U.S. Constitution.

27 **REASONS FOR EXTENDING TIME FOR FILING CERTIORARI**

- 28 1. Petitioner Remsen, recently lost his Son Gregory Remsen who was

1           Petitioner Richards brother and who was a major factor in  
2           developing the Writ of Mandate for Declaratory and Injunctive  
3           Relief and on May 4, 2023, Petitioner's Ex-Wife and Petitioner  
4           Alicia Richards mother passed away from cancer (Note: Alicia  
5           Richards and Gregory Remsen represented the State and Federal  
6           Taxpayers in this matter). Alicia Richards has not recovered from  
7           these sudden and devastating loses enough to help Remsen file  
8           Certiorari in a timely manner (See: Infra); and  
9    2.       Petitioner Remsen, is now over 80 years old and without a computer  
10           and his only help is a typewriter which has been out of production  
11           since 1992 and the Institutional Law Library does not provide  
12           access to a typewriter or to a Word Processer with MicroSoft Word.  
13           These impediments taken together with the recent family deaths made  
14           it impossible to prepare Certiorari on a timely basis; and  
15    3.       The California Institution for Men (CIM) at Chino, where Remsen is  
16           now incarcerated has failed to provide the most minimal protection  
17           from COVID-19 such as the 75 Square Feet of Floor space between  
18           bunks mandated by: 1. the United Nations Standard Minimum Rules for  
19           the Treatment of Prisoners; 2. The American Correctional Associa-  
20           tion Commission on Accreditation for Corrections Standand 4142; 3.  
21           The American Public Health Asociation; and  
22    4.       The National Sheriffs Association (See: Lareau v. Manson, 651 F. 2d  
23           96, 106-08 [1981 U.S. LEXIS 12711] (1981)). Petitioner Remsen has  
24           been infected with COVID-19 three (3) times and the virus injured  
25           his heart and gave him A-Fib. Due to the COVID-19, Remsen has been  
26           moved 3-times in the last 9-months and he must stand next to his  
27           bunk in a space less than 31 Square Feet to do the legal work that  
28           creates this document while half the dorm is now infected with RSV

1           and  
2           5. Access to CIM's Law Libaray has been very limited. Until this  
3           last week only half the Facility could access the Library at a  
4           time and only had access for a couple of hours each week. This  
5           past month, the Law Library was closed from May 26 2023 thru  
6           June 5, 2023. This and many other closures has made it  
7           impossible to respond to this Court's time-line to file  
8           Certiorari; and

9           6. Petitioner, Remsen has been trying to find a lawfirm with an  
10           attorney qualified and licensed to practice in this Court and  
11           has been unable to find a printing firm to print up the 6 1/8 X  
12           9 1/4" booklets. Remsen has sent letters to several firms  
13           requesting help but has yet to receive replies.

14   CONCLUSIONS

15           (4). Based on all the facts presented herein, Petitioners request  
16           that in the interest of justice they be granted an additional 60 days in  
17           which to file their petition for Certiorari in this Court. Additionally,  
18           and so that this Court can view some of the reasons why California  
19           refuses to follow its own and this Court's precedent and/or rule on the  
20           merits of their claims according to law. For example, the application  
21           contains the following supporting exhibits:

- 22           1. Four page Notice to Kamala Harris while she was California's  
23           Attorney General that was copied to this Court; and
- 24           2. Chapter 4.5 ATICLE 1 Pen. Code § 1170(a)(1) showing the  
25           Legislative Declaration as to the purpose and policy for  
26           imprisonment for crimes committed on or after July 1, 1977; and
- 27           3. FYI: WHY UNCERTAIN PUNISHMENTS FOR CRIME CANNOT EXIST UNDER  
28           STATE LAW (5-Pages); and

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- 4. CALIFORNIA SENTENCING LAWS FROM 1917 TO 2019 (5-Pages); and
- 5. The Nov. 7, 1978 Prop. 7 Initiative's Sentencing Structure that adopted the sentencing structure from the repealed ISL without reenacting the ISL or returning the Parole Agency's term fixing powers.

Respectfully submitted,

s/Alicia Marie Richards

Lawrence Rensen

V E R I F I C A T I O N

As the Petitioner in this matter, I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed Jun. (Month) 8th (Day), 2023.

<u>/s/</u>	<u>06/08/23</u>
Alicia Richards	Date

<u>Lawrence Rensen</u>	<u>06/08/23</u>
Lawrence Rensen	Date

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NOTE: Prison Mail Box Rules: Houston v. Lack, 487 U.S. 266, 273-78 [108 S.Ct. 2379] (1988) and In re Jordan, 4 Cal.4th 116 [840 P2d 983, 985] (1992).