

No. 22-___

IN THE
SUPREME COURT OF THE UNITED STATES

Perry Adron McCullough,
Applicant-Petitioner

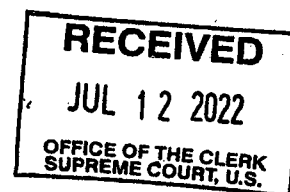
v.

David F. Levi, George L. O'Connell, Phillip A. Tablert,
Jeffrey J. Lodge, D/B/A: UNITED STATES OF AMERICA,
Respondents

APPLICATION FOR EXTENSION OF TIME
IN WHICH TO FILE PETITION FOR WRIT OF CERTIORARI

*To the Honorable Elena Kagan, Circuit Justice for the
United States Court of Appeals for the Ninth Circuit, and
Associate Justice of the United States Supreme Court:*

In accordance with Rule 13.5 of the United States Supreme Court Rules,
Perry Adron McCullough requests a sixty (60) day extension of time, up to and
including September 18, 2022, to which to file his petition for writ of certiorari.
McCullough's petition for certiorari is currently due July 20, 2022. [This application



of law is being used against him to prevent his right to access the courts. It is included within Petitioner's claims that *the pre-filing review order is unconstitutional*, therefore the only way for this to be challenged is for the U.S. Supreme Court to review to insure that the lower courts are doing their job right and permit access to justice for this aggrieved party petitioner.

Basis for Courts Jurisdiction

Pursuant to 28 U.S.C 1254(1), court of appeals cases may be reviewed by the Supreme Court by way of writ of certiorari. Accordingly, this Court has jurisdiction under 28 U.S.C 1254(1).

Justification for Extension

1. Petitioner, Perry Adron McCullough, was preparing his petition one angle, yet was caught by surprise as a 24-year old pre-filing review order, to which he now contends is VOID under law, for various reasons, one being the Pennoyer rule (1968), the principle that a court may not issue a personal judgment against a defendant over whom it has no personal jurisdiction. (Pennoyer v. Neff, 95 U.S. 714 (1877).; and Blacks Law Dictionary, Ninth Edition). In addition, Petitioner will argue that this pre-filing order is void because it is just a continuation of attacks from the Respondents' and other collaborators, using their so-called authority under color of law to block

Petitioner's rightful access to have his day in court. When Petitioner filed his Federal Question complaint at the USDC for the Eastern District of California, the court dismissed his claim as "frivolous" before allowing him to have his day in court, WITH PREJUDICE; and now the Court of Appeals is not permitting an appellate review. The surprise occurrence of this order has caused a re-assessment of this petitioner's strategy, research, and collection of records required to be presented before this honorable court in order to give the whole pertinent history.

2. Petitioner's Federal Question case filed in USDC was dismissed *with prejudice*, without a hearing, based upon a Motion to Dismiss that did not have an accompanying affidavit in support, and the Findings and Recommendations by the Magistrate which were also defective in part due to its absence of an accompanying proper statement of facts and conclusions of law required by Rule 51(a)(6), F.R. Civ. P. because the question of proper jurisdiction was continually ignored.
3. Petitioner is and wishes to continue proceeding *in pro persona, sui juris*, and the complexity of constitutional arguments the Petitioner will argue before this Court require extraordinary effort on the petitioner's part and more time is necessary to fully develop and articulate each of them. The Respondents/Defendants, never placed jurisdiction on the record when

lawfully required to do so, violated this Petitioner's due process rights, as well as that of equal protection, and separation of powers.

4. Petitioners' arguments will be developed in consideration the voluminous records of the court below to adequately discuss them before this Court.
5. Notwithstanding the foregoing, Petitioner Perry Adron McCullough will make every effort to file the petition prior to July 20, 2022.
6. The granting of the Petitioners application will not prejudice the interests of the Respondent.
7. McCullough was sent to prison for 26 years and 5 years of supervised release without jurisdiction being put on the record, no bail being set for his release, and numerous instances of prosecutorial and judicial misconduct. There is no executed grand jury indictment or any charging instrument in the criminal case docket, and after fact-finding, this has even been admitted by one of the Prosecutors and the list of travesties of justice goes on from there. It is McCullough's wish to have his day in court and correct a number or serious violations of the rule of law as applied in his case(s).
8. McCullough has attempted to get the pre-filing order lifted via motion, what appears to be three times, first one filed on 5/27/2005 and denied on 7/21/2005; then on 10/6/2005; the next filed on 5/21/2009 and denied on 6/30/2009.

9. Looking through the (98-80147) Appellate court's docket, one will also notice numerous denials of his attempts to appeal. Be it the denial of his motion to lift the pre-filing orders or the denial of his appeals, the Ninth Circuit has repeated the same things it always has:

“Because the application lacks merit, it shall not be permitted to proceed.” and “Because the appeal is so insubstantial as to not warrant further review, it shall not be permitted to proceed.”

(see docket #'s: 11, 18, 21, 29, 33, 35)

In Petitioner's writ, the words that keep being thrown around by the court repeatedly, “merit” and “insubstantial”; will be put to the test to the fullest letter of the law in this case.

10. Therefore, the U.S. Supreme Court is the only court left for petitioner to request relief and justice.

11. It would be a diminishment to Petitioner's rights, if he were to retain a BAR (British Accredited Registry) member and officer of the court as his own attorney, as his status is strictly sui jurs. By the Ninth Circuit telling this petitioner that he must retain an attorney, they are asking him to take a benefit from the court and form a constructive trust with them, which will diminish his now elevated status. Petitioner wishes to retain his restricted appearance under Federal Rule E(8), and to not subject himself to the jurisdiction of the courts, for many reasons but for 35 years

that has never served him. Petitioner will not retain an attorney because petitioner will not agree to allow jurisdiction to the Inferior Court system, instead he insists on the use of original Article III Constitutional courts. The definition of Subterfuge is "Deception used to achieve an end". The Court of Appeals and it's collaborators are using "subterfuge" to shut down the Petitioner's push for justice.

12. This Petitioner holds a Doctorate law degree from Kensington University College of Law, a correspondence school, which he earned in 2001 while studying in prison.


13. McCullough assures this Court that his desire to provide the courts with well founded arguments is sincere. He has worked very hard on this for years and wishes to file one final lawsuit to obtain justice for all the unlawful acts that have led to much hardship, suffering, and misery for 31 years of his life.

14. Since there is no other pending matters in any other court, an extension of time will not prejudice or delay any rights, titles, and interests of any the Respondents nor any other party.

Conclusion

For the foregoing reasons and good cause shown, Petitioner, Perry Adron McCullough, respectfully requests that this Court grant this application for an extension of time to file his petition for a writ of certiorari, accordingly, allow Petitioner Perry Adron McCullough an extension of sixty (60) days until September 18, 2022 to file his petition.

Respectfully submitted,


Perry Adron McCullough,
in pro persona

Please kindly send any/all responses to only address which is:

Perry Adron McCullough
c/o: P.O. Box 14442
Long Beach, CA 90853A

notice: Please correct a previous address you may have on file, on Murphy Hill Drive in Whittier, CA; that address is from a Check that was sent by a third-party, and returned by SCOTUS via letterhead explaining how to correct my submission (letter dated May 31, 2022) Please correct said address as that is not my address. This is a third-parties address who is not a party to the claim.