

ORIGINAL 1

No. 22 A 99

IN THE SUPREME COURT OF THE UNITED STATES

FILED  
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In The Matter of a Foreign Judgment Rendered in the Case of  
DE LAGE LANDEN FINANCIAL SERVICES, INC., Respondent,  
and SHARON NEAL, Respondent

v.

OCULUS, INC., and NATALIA A. NEAL, Petitioner

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On Petition for Writ of Certiorari to the Oregon Supreme Court

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APPLICATION FOR EXTENTION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI PURSUANT TO RULE 13(5)

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To the Honorable Elena Kagan, Supreme Court Justice and Circuit Justice to the  
area covered by the Ninth Circuit:

1. Petitioner, Natalia A. Neal-(pro se), pursuant to Rule 13(5), Rules of the  
Supreme Court, respectfully seeks a sixty (60) day extension of time from  
August 31, 2022, and through October 30, 2022, within which to file her

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petition for writ of certiorari in this Court. The jurisdiction of this Court is invoked under 28 U.S.C. §1257. This application is submitted more than ten (10) days prior to the scheduled filing date for the Petition. The pertinent dates are:

**July 30, 2020** – Issuance of Order by the Circuit Court of State of Oregon for the County of Clackamas granting motion for sale of Petitioner’s Real Property in case No. 17CV03554. A copy of the order is attached hereto as **Exhibit A**.

**October 6, 2021** – Affirmation without opinion of the order granting motion for sale of Petitioner’s Real Property by the Court of Appeals of the State of Oregon in case No. A174398. A copy of the document is attached as **Exhibit B**.

**April 21, 2022** - Issuance of Order by the Oregon Supreme Court, in case No. S069177 denying petition for review. A copy of the order is attached hereto as **Exhibit C**.

**June 2, 2022** - Issuance of Order by the Oregon Supreme Court denying reconsideration. A copy of the order is attached as **Exhibit D**.

**August 31, 2022** - Deadline for filing a petition for writ of certiorari in the United States Supreme Court, unless extended.

2. The basis of Petitioner's Petition for a Writ of Certiorari is that the trial court's order for Petitioner's home to be sold during an active foreclosure moratorium in Oregon (HB 4204 and HB 2009) and Emergency Housing Protections and Relief Act of 2020 violated her rights of the equal protection of the laws under the 14th Amendment to the U.S. Constitution. ("No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"). *See Arnett v. Kennedy, 416 U.S. 134, 153-154 (REHNQUIST, J.).* "My analysis in this case thus assumes that petitioner Flagg Brothers' proposed sale will conform to the procedure specified by the state legislature and that respondents' challenge therefore will be to the constitutionality of that process. It is only what the State itself has enacted that they may ask the federal court to review in a § 1983 case." *Flagg Bros., Inc. v. Brooks, 436 U.S. 149 (1978)* Mr. Justice Harlan explained this principle as follows: "Without this guarantee that one may not be deprived of his rights, neither liberty nor property, without due process of law, the State's monopoly over techniques for binding conflict resolution could hardly be said to be

*acceptable under our scheme of things. Only by providing that the social enforcement mechanism must function strictly within these bounds can we hope to maintain an ordered society that is also just. It is upon this premise that this Court has through years of adjudication put flesh upon the due process principle." Boddie v. Connecticut, 401 U.S. 371, 375.*

In this case the trial court within its jurisdiction denied Petitioner the equal protection of the laws which were put in place by the U.S. Government and the Oregon's governor Kate Brown because of Covid 19 pandemic. The trial's court decision to issue an order for sale of Petitioner's home appears to be wrong, and the error works a serious and irreversible injustice. The order for sale was issued on July 30, 2020, during an emergency period posed by the Covid-19 pandemic and during an active foreclosure moratorium in Oregon which was put in place to protect homeowners like Petitioner from any actions to foreclose the loans and the liens. Another important question Petitioner intends to raise in her petition for a Writ of Certiorari to the U.S. Supreme Court is "does a creditor have any rights to obtain an order for sale of land if there is no excess over and above the homestead exemption? In case Owen v. Owen, 500 U.S. 305 (1991) the U.S. Supreme Court issued a Writ of Certiorari due to an impairment judicial lien

had on the property owner's homestead exemption according to federal exemptions, or under state law.

Petitioner intends to ask the U.S. Supreme Court for a writ of certiorari on that question of constitutional violation and severe conflict with U.S. Supreme Court rulings.

3. Petitioner is a person with a limited income and many dependents in her household. She can not afford a legal representation and to pay a lawyer to file a petition for writ of certiorari with the United States Supreme Court and. Petitioner respectfully asks that this Court grants an extension of time so that Petitioner is able to do legal research and prepare the petition pro se.
4. The Respondent's position on this application for extension of time to file a petition for writ of certiorari is unknown.
5. This proceeding involves a question of the constitutionality and application of a statute of the State of Oregon, and neither the State nor any agency, officer, or employee thereof is a party. 28 U.S.C. § 2403(b) may apply and this document is being served on the Attorney General for the State of Oregon. To Petitioner's knowledge the Oregon Supreme Court (pursuant to 28 U.S.C. § 2403(b)) has not certified to the State Attorney General the fact

that the constitutionality of a statute of the State of Oregon is drawn into question.

For the foregoing reasons, the Petitioner, respectfully prays that this Court grants an extension of sixty (60) days from August 31, 2022, and through October 30, 2022, within which to file her petition for writ of certiorari.

VERIFICATION

I hereby declare that the foregoing statements contained herein, and exhibits attached hereto are true and correct to the best of my knowledge and belief, and that I understand they are made for use as evidence in Court and I am subject to penalty for perjury.

*Respectfully submitted on August 1, 2022*



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