

NO. 23-\_\_\_\_\_

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SUPREME COURT OF THE UNITED STATES

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Dennis Atiyeh,

*Petitioner,*

vs.

U.S. Trustee Andrew R. Vara,

*Respondent,*

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On petition for a Writ of Certiorari to  
The United States Court of Appeals  
For the Third Circuit

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**MOTION OF OUT OF TIME PETITION FOR WRIT OF CERTIORARI**

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Dennis Atiyeh  
5828 Park Valley Road  
Schnecksville, PA 18078  
Land Line: 610-799-5037  
Pro-Se

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## **MOTION TO FILE OUT OF TIME PETITION FOR WRIT OF CERTIORARI**

1. Petitioner filed the Writ of Certiorari as Pro Se.
2. Petitioner called the Third Circuit Court of Appeals to confirm the Judgment date in early April 2023.
3. The Third Circuit Court stated February 9, 2023 as the final Judgment date to Petitioner's.
4. Petitioner read the Judgment from the Third Circuit, which is clearly dated February 9, 2023. (Copy of Exhibit A) Petitioner used this date for the 90 days and clearly on the top of the document has 02-09-2023 as filed.
5. Petitioner called the Supreme Court in April 2023 on at least three separate occasions to reaffirm the date. Only to receive voice mails.
6. The Supreme Court is very busy; Petitioner understands that fact. Petitioner missed the return phone calls as I have a large flock of sheep and cattle and spring is a very busy prep time for farming. Petitioner lives off the grid without a cell phone.
7. Petitioner filed the Writ based on the February 9, 2023 date.
8. Petitioner was very capable of filing the Writ on May 2, 2023. The Writ was mailed May 5, 2023. Petitioner was capable of mailing it on April 27, 2023. Petitioner has met all deadlines in the legal appeals process.
9. No party will be harmed by the three-day delay. Accepting the Writ of Certiorari will harm no-party.

10. Petitioner 's family and millions of off the grid, Pro se litigants will be harmed if the Motion to file out of time Petition for Writ of Certiorari is denied.
11. Off the grid Pro se litigants suffer due to the communication gap that covid, zoom, electronic filing and texting has created. Phone communication is very difficult as less phone staff is available.
12. Petitioner does not recall having received any documents from the Third Circuit Stating the judgment date of February 2, 2023. The February 9, 2023 was the communication relied on and reference.

Wherefore, Petitioner prays the Motion to file an Out of Time Petition for Writ of Certiorari be granted.

Respectfully Submitted

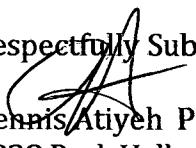
  
Dennis Atiyeh Pro se  
5828 Park Valley Road  
Schnecksville, PA 18078  
610-799-5037  
May 16, 2023

Exhibit A

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 22-1848

In re: DENNIS J. ATIYEH,

Petitioner

On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(E.D. Pa. Civ. No. 5:21-cv-02381)  
District Judge: Honorable Cynthia M. Rufe

Submitted Pursuant to Third Circuit LAR 34.1(a)  
November 16, 2022

Before: AMBRO, KRAUSE, and SCIRICA, Circuit Judges

JUDGMENT

This cause came to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on November 16, 2022. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered March 31, 2022, be and the same is hereby affirmed. Costs taxed against the Appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/ Patricia S. DeLoe  
Clerk

Certified as a true copy and issued in lieu  
of a formal mandate on February 9, 2023

Dated: November 30, 2022

Teste: *Patricia A. DeLoe*  
Clerk, U.S. Court of Appeals for the Third Cir