

Michael Marrara # 1171151  
Pro Se Petitioner  
East Jersey State Prison  
1100 Woodbridge Rd.  
Rahway, New Jersey 07065

Michael Dotro # 1131899  
Pro Se Petitioner  
East Jersey State Prison  
1100 Woodbridge Rd.  
Rahway, New Jersey 07065

**UNITED STATES SUPREME COURT**

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

Re: Marrara, Dotro v. Murphy, *et al.*  
Third Circuit Case No.: 23-1379  
Before: Thomas M. Hardiman, Circuit Judge  
L. Felipe Restrepo, Circuit Judge  
Stephanos Bibas, Circuit Judge  
District Court Docket No.: 2:22-cv-02056-ES-ESK  
Sat Below: Hon. Esther Salas, U.S.D.J.  
Hon. Edward S. Kiel, U.S.M.J.  
New Jersey Superior Docket No.: MID-L-6279-21  
Sat Below: Hon. Bina K. Desai, J.S.C.

MICHAEL MARRARA,  
MICHAEL DOTRO,

Petitioners,  
On behalf of themselves and  
All those similarly situated,

v.

PHILIP D. MURPHY, *et al.*

Respondents.

CIVIL ACTION

**APPLICATION TO EXTEND  
THE TIME TO FILE A  
PETITION FOR A WRIT OF  
CERTIORARI**

To: Supreme Court Justice Samuel Alito  
U.S. Supreme Court Building  
1 First Street N.E.  
Washington, DC 20543

Michael Marrara and Michael Dotro, the incarcerated *pro se* Petitioners in the above-captioned matter (hereinafter, collectively “Petitioners”), make timely application to this Supreme

Court of the United States for a sixty (60) day extension of time to file a petition for a writ of certiorari, pursuant to *Supreme Court Rule* 13.5. Please find the facts supporting an extension below:

1. Incarcerated *pro se* Petitioners move to this United States Supreme Court seeking an order granting a sixty (60) day extension of time to file a petition for a writ of certiorari, as permitted by *Supreme Court Rule* 13.5,

#### **BASIS FOR JURISDICTION**

2. This Court has jurisdiction as “[c]ases in the court of appeals may be reviewed by the Supreme Court by...writ of certiorari granted upon the petition of any party to any civil...case...after rendition of judgment...” *U.S.C. 28 § 1254 (1)*,

#### **JUDGMENT SOUGHT TO BE REVIEWED**

3. Petitioners are seeking review of an opinion and judgment filed by the Third Circuit Court of Appeals on July 7, 2023. As per *Supreme Court Rule* 13.5, Petitioners’ Third Circuit opinion is attached hereto as “**Exhibit A**” and Third Circuit judgment is attached hereto as “**Exhibit B**”,
4. On August 18, 2023, Petitioners filed a timely petition for panel rehearing, which was denied via order on September 11, 2023. Petitioners’ Third Circuit order is attached hereto as “**Exhibit C**”,
5. Said Third Circuit opinion and judgment stem from Petitioners’ preceding opinion and order from the United States District Court for the District of New Jersey, both filed on February 3, 2023. Petitioners’ District Court opinion is attached hereto as “**Exhibit D**” and District Court order is attached hereto as “**Exhibit E**”,

## REASONS FOR GRANTING EXTENSION

6. This application is properly before this Court as it is “made to an individual justice and presented and served on all other parties...” as directed by *Supreme Court Rules* 30.3 and 22,
7. No previous extensions have been obtained regarding this topic,
8. Petitioners are both New Jersey State prisoners, and incarcerated at East Jersey State Prison, and are hampered by institutional limitations, that include but are not limited to:
  - a. Appoint based legal access to legal and factual documents,
  - b. Limited number of legal computers,
  - c. Absence of internet abilities, eradicating the ability of viewing and printing of legal documents from this matter’s docket, and not allowing for e-filing,
  - d. A third party legal mail system and
  - e. The threat of unforeseen circumstances out of the Petitioners’ control, such as a sudden prison-wide lockdown,
9. This is a timely application, as it is being filed at least 10 days prior to the date the petition for a writ of certiorari is due, as dictated by *Supreme Court Rule* 13.5,
10. The order denying Petitioners’ petition for panel rehearing was issued on September 11, 2023, and as per *Supreme Court Rule* 13.3, the current deadline for Petitioners to file a petition for a writ of certiorari is December 11, 2023,
11. Petitioners respectfully estimate the requested deadline to file their petition for a writ of certiorari to reflect February 8, 2024,
12. Petitioners understand that an “application to extend the time to file a petition for a writ of certiorari in not favored” by the Court, however, “[f]or good cause, a Justice may extend


the time to file a petition for a writ of certiorari for a period not exceeding 60 days.”


*Supreme Court Rule 13.5,*

13. Petitioners assure this Court that the extension sought is being submitted in good faith, and not for the reason of unnecessary delay and
14. Petitioners submit that good cause has been shown.

WHEREFORE, this United States Supreme Court should GRANT Petitioners’ application for a sixty (60) day extension of time to file a petition for a writ of certiorari.

Dated: October 26, 2023

By:   
\_\_\_\_\_  
Michael Marrara # 1171151  
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Rahway, New Jersey 07065

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