

No. 23-55050

IN THE SUPREME COURT OF THE UNITED STATES

SHAHERYAR KHAN, PETITIONER

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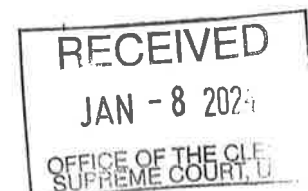
KENT SETON ET AL

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES OF COURT OF APPEALS
FOR THE NINTH CIRCUIT

APPLICATION AND MOTION FOR EXTENSION OF TIME TO FILE BRIEF
TO PETITION FOR WRIT OF CERTIORARI

SHAHERYAR KHAN
2219 OLIVE STREET
BURBANK CA 91506

SHAHERYAR KHAN, PETITIONER



APPLICATION AND MOTION FOR EXTENSION OF TIME TO FILE BRIEF
TO PETITION FOR WRIT OF CERTIORARI

Petitioner, Shaheryar Khan, the Petitioner in the above-referenced matter, pursuant to Supreme Court Rule 30.3 submits this Application for Motion for Extension of Time to File Brief to Petition For Writ of Certiorari to the Clerk for the Purpose of respectfully requesting Justice Keegan to grant a sixty day(60)day extension of time to file petitioners Brief to Petition For Writ of Certiorari up to and including March 1st 2024. In further support , Petitioner would respectfully show as follows.

- 1.) The Petitioner and Appellant received an Order affirming the lower courts order from the Ninth Circuit Court of appeals on 10/4/2023 during his recovery and illness (exhibit).
- 2.) Petitioner will be filing a motion in the Ninth Circuit due to his illness and not receiving the order from the lower court .
- 3.) Petitioner was injured severly on or about 6/20/22 and has been suffering during his recovery and seeks this extension. (exhibit)
- 4.) Petitioner was prejudiced by the defendants and conspirators in this matter and victim of espionage and theft of court materials and fraud during the ordinary course of these cases and petitions causing extreme stress.

5.) Petitioner has been victim of the Apple VS NSO and Q Technology scandal and victim of hacking (exhibit) and this case reflects the oppressive attacks by these companies .

6.) Petitioner filed this Motion for an extension of time on or about 1/02/2024 and timely prior to 1/02/2024 (holiday) within the time frame required and in advance of the deadline to file file Petitioners Brief to Petition For Writ of Certiorari which is 90 Days after the 10/4/23 Ninth circuit Order (exhibit) . Petitioner is requesting a 60 day extension of time from the deadline of 01/02/24 to file his petition and brief from the court up to March 1st 2024.

7.) Pursuant to Supreme Clerk Court Rule 30.3 , the relief herein requested " may be presented in the form of a application by setting out specific reasons why an extension of time is justified. Petitioner May request that the motion be submitted to a justice or to the Court to be granted,

8.). This is the Petitioners first request for an extension for this order filed on 10/4/23 of time to file it petition.

9.) Pursuant to Supreme Court Rule 30.3 , the Court has the authority to grant the additional time requested herein.

8.. Petitioner requests and extension of time to file is petition based on the following specific reasons pursuant to Rule 30.3

- a. Petitioner has been recovering from injury and illness (exhibit)

- b. Petitioner requires this time to determine the outcome of motion in the 9th circuit Court of appeals .

- c. Petitioner requires this time to consult with Attorneys .

Based on the foregoing , the Petitioner respectfully request a sixty (60) day extension of time to file the requested responsive brief up to and including March 1st 2024

Dated : January 2nd, 2024

Respectfully Sent by,

SHAHERYAR KHAN
2219 OLIVE STREET
BURBANK CA 91506

SHAHERYAR KHAN, PETITIONER


x _____

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 4 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SHAHERYAR KHAN,

Plaintiff-Appellant,

v.

KENT SETON; et al.,

Defendants-Appellees.

No. 23-55050

D.C. No. 2:21-cv-03020-VAP-MAA
Central District of California,
Los Angeles

ORDER

Before: BADE, LEE, and VANDYKE, Circuit Judges.

Appellant's motion to reinstate this appeal (Docket Entry No. 9) is granted. The order of dismissal for failure to prosecute (Docket Entry No. 6) is vacated and the appeal is reinstated.

Upon a review of the record and the response to the March 22, 2023 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 8), *see* 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

The motion for an extension of time to file the motion to proceed in forma pauperis (Docket Entry No. 7) is denied as unnecessary.

DISMISSED.



SPINE AND SPORTS INSTITUTE


PAYAM VAHEDIFAR, M.D.

WORK NOTE

Patient Name: Shah Khan DOB: 07/05/1974

Patient to remain off work from 11/18/2023 thru 02/28/2024.

If you have any questions, please call the office at 818-986-0200

Signed: 
Payam Vahedifar, M.D.

Date: 11/30/2023

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16633 Ventura Blvd Suite 802
Encino, CA 91436
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KENT SETON ET AL

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PROOF OF SERVICE

PETITIONERS BRIEF AND PETITION FOR WRIT OF CERTIORARI

SHAHERYAR KHAN
2219 OLIVE STREET
BURBANK CA 91506

SHAHERYAR KHAN, PETITIONER

I ,REGINA ZEPATA, Declares as follows:

1. At the time of service I was at least 18 years of age and not a party to this lawsuit.

I served copies of the

1.) APPLICATION AND MOTION FOR EXTENSION OF TIME TO FILE BRIEF TO
PETITION FOR WRIT OF CERTIORARI

2.) PROOF OF SERVICE

(herein referred as "copies").

2. On (date) JANUARY 2ND 2024 , I served the following persons and/or entities at the last known addresses in this Supreme Courts review of the Ninth Circuit Court of Appeals case by placing a true and correct copy thereof in a sealed envelope in the United States Package and mail, first class, postage prepaid, and addressed as follows:

1.) KENT SETON 269 S. BEVERLY DR. 338 BEVERLY HILLS CA 90212-3851

2.) EDWARD CHARLES FOUNDATION 269 S BEVERLY DR 338 BEVERLY HILLS CA
90212-3851

3.) ADAM KRAEMER 3225 SHIMMY LANE TALLAHASSEE FL 32308

4.) THRONE -215 S MONROE ST STE 400 TALA HASSE FL 32301-1804

5.) MANNING KASS ELLROD RAMIREZ TRESTER LLP 810 S. FIGUEROA STREET #
15TH FLOOR LOS ANGELES CA 90017

4. My Name , Address are:

REGINA ZEPATE

2219 OLIVE STREET BURBANK CA 91506

5. I am not a registered California Process Server,

I declare under the penalty of Perjury that the foregoing is true and correct

Executed on JANUARY 2nd 2024 at BURBANK California

Dated : JANUARY 2nd , 2024

Print Name

X REGINA ZEPATE

Sign Name

X

A handwritten signature in black ink, appearing to read 'REGINA ZEPATE', is written over a horizontal line. The signature is stylized and cursive.