

TO CLERK'S OFFICE
US SUPREME COURT

RE NEW CASE,

DEAR SIR/MADAM:

ATTACHED ARE: MOTION TO EXTEND
FILING APPEAL, AND

\$ 300 FILING FEE PER OUR
CONVERSATION ON 12/20/23

THANK YOU FOR YOUR ATTENTION TO
THIS MATTER PLEASE ADVISE ME WITH
ANY QUESTION,

THANK YOU ALSO FOR THE MATERIALS
YOU SENT ME ON DECEMBER 21 2023
WERE VERY HELPFUL.

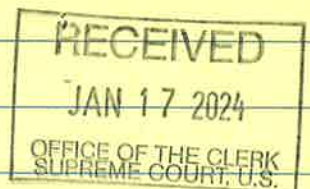
RESPECTFULLY.

PAUL SANDS

PO Box 15303 BOSTON MA 02215

617 227 1770

Paul Sands



United States Supreme Court

No.TBD

JACQUES SAADE
Plaintiff- Appellant

v.

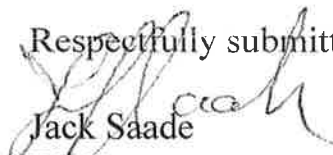
FAY SERVICING LLC; WILMINGTON TRUST, NA, AS Trustee of MFRA Trust 2014-2
Defendants- Appellees

Appeal from the United States District Court For the District of Massachusetts
Dismissal under Rule 12(b)(6), Case # 20-11951-IT-and Appeal from the First
Circuit Affirming the Dismissal. First Circuit Case # No.22-1298

APPELLANT'S MOTION TO EXTEND FILING THE APPELLATE BRIEF

Appellant respectfully submits this motion to request the court to grant an extension to file the appellate brief within two month and until March 2, 2024. The ground of this motion is that appellant just received from the court the Rules that the clerk's office sent. The Rules appear to require filing the brief within 90 of the judgment date. The judgment dated was October 2, 2023. The Rules also allow an extension of two month. In light of the instant circumstances, appellant respectfully requests the court to allow this extension to file this appeal by March 2, 2024.

Respectfully submitted,


Jack Saade
PO Box 15303
Boston, MA 02215

Dated: January 2, 2024

United States Court of Appeals For the First Circuit

No. 22-1298

JACQUES SAADE,

Plaintiff - Appellant,

v.

FAY SERVICING, LLC; WILMINGTON TRUST, N.A., as Trustee of MFRA Trust 2014-2,

Defendants - Appellees,

DOE,

Defendant.

Before

Barron, Chief Judge,
Lynch and Howard, Circuit Judges.

JUDGMENT

Entered: October 2, 2023

Plaintiff-appellant Jacques Saade appeals from the district court's dismissal of his claims and its denial of his motion for leave to amend the complaint in what appears to be his sixth appeal stemming from his 2010 mortgage default. Defendant-appellees defend the district court's dismissal and denial of leave to amend and argue, as they have done in prior appeals by Saade, that Saade's opening brief so egregiously fails to comply with the Federal Rules of Appellate Procedure that summary dismissal of the appeals is warranted. We agree. See, e.g., Rodríguez-Machado v. Shinseki, 700 F.3d 48, 48 (1st Cir. 2012) (per curiam) ("substantial 'noncompliance' with important 'appellate rules, in and of itself, constitutes sufficient cause to dismiss an appeal'") (quoting Reyes-García v. Rodríguez & Del Valle, Inc., 82 F.3d 11, 14-15 (1st Cir. 1996) (alteration omitted)). As in the prior appeals, Saade has again filed a brief that fails to develop a coherent argument on his claims, fails to provide relevant record citations, and reargues the merits of issues decided in prior cases that are well outside the scope of the present appeal, all in contravention of Fed. R. App. P. 28(a).

In any event, the appeal fails to present any substantial issue for review. To the extent Saade asserted claims alleging violations of state or federal law regarding alleged defects in pre-

Saade has filed numerous repetitive and overlapping lawsuits in state and federal court over the last eight years stemming from the same facts, and he seems to be unwilling to accept any adverse ruling as dispositive. We note that Saade's pattern of abusive litigation practices has resulted in filing restrictions in both state and federal trial courts, and, notwithstanding those restrictions, Saade has continued in his attempts to repackage old claims that have been repeatedly rejected. Sanctions are warranted based on both frivolousness and vexatious litigation conduct. In accordance with appellees' affidavit of costs, an award of \$5,508.24 is granted.² Saade is again warned that filing restrictions may be imposed if he persists in his efforts to revive and relitigate issues that were or could have been raised in prior matters.

Finally, Saade's motion for sanctions and his motion to remand this matter, which was filed in federal district court, to state court, are denied as baseless. To the extent Saade seeks to enjoin foreclosure and obtain an accounting of his debt as calculated in statements he received long after judgment was entered in the district court, he is free to pursue that relief in a separate proceeding in state court.

By the Court:

Maria R. Hamilton, Clerk

cc:

Hon. Indira Talwani

Robert Farrell, Clerk, United States District Court for the District of Massachusetts

Jacques Saade

Kevin Patrick Polansky

²We note that the Rule 38 motion appellees filed in the most recent prior appeals, Nos. 20-1645 and 20-1646, was granted based on a finding of frivolousness by order entered November 22, 2022.

United States Court of Appeals For the First Circuit

No. 22-1298

JACQUES SAADE,

Plaintiff - Appellant,

v.

FAY SERVICING, LLC; WILMINGTON TRUST, N.A., as Trustee of MFRA Trust 2014-2,

Defendants - Appellees,

DOE,

Defendant.

Before

Barron, Chief Judge,
Lynch, Howard, Kayatta,
Gelpí, Montecalvo and Rikelman, Circuit Judges.

ORDER OF COURT

Entered: November 13, 2023

This matter is before the court on appellant's petition for rehearing and rehearing en banc, motion to expedite a ruling on the petition, and motion for sanctions. The petition for rehearing having been denied by the panel of judges who decided the case and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be denied. The motion to expedite is denied as moot and the motion for sanctions is also denied.

By the Court:

Maria R. Hamilton, Clerk