

In The  
Supreme Court Of The United States

Appeal From The Illinois Supreme Court

Case No: 129368

PUSHPA SHEKAR,

*Petitioner/ Applicant/Appellant*

v.

OCWEN LOAN SERVICING ,

*Respondent /Defendant/Appellee.*

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⊗ APPLICATION FOR EXTENSION OF TIME  
PURSUANT TO 28 U.S. Code § 2101(C) AND RULE 30 (3)  
TO FILE PETITION FOR A WRIT OF CERTIORARI

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**Before Associate Justice**

**Honorable Ketanji Brown Jackson**

(This application is presented before Justice Jackson pursuant to Rule 22.3 due to irreparable conflict of interest with Circuit Justice Barrett)

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OFFICE OF THE CLERK  
SUPREME COURT, U.S.

⊗ ORIGINAL MAILED DATE: JANUARY 5<sup>th</sup>, 2024  
RESUBMITTED WITH ORDER 3 PER EMILY WALKER

## PREAMBLE

This application is presented before Justice Jackson as the next junior justice pursuant to Rule 22.3, due to an irreparable conflict of interest with Circuit Justice Barrett from a past petition filed by the Petitioner's husband with Chief Justice John Roberts, Jr. The said petition sought a referral to Senate Judiciary Committee for impeachment of the then circuit judge Barrett at Seventh circuit. Additionally, there is an *En banc* petition due to be filed in D.C. Circuit Court of Appeals by the Petitioner's husband where Justice Barrett is an adversary. (22-5211)

## RELIEF SOUGHT

1. Petitioner Pushpa Shekar respectfully submit this Application requesting an extension of time for additional 60 days from current due date to file the Petition for a Writ of Certiorari in this case for good cause shown as detailed in the forthcoming paragraphs.
2. On October 31, 2023, Illinois Supreme court denied discretionary consideration of Petition for Leave to Appeal. ("PLA")
3. In doing so, the Illinois Supreme court abused discretion and violated the Due process clause of the Fourteenth Amendment to the United States Constitution; violated First Amendment Rights ; Violated and acted against the Illinois Constitution under 725 ILCS 5/122-1(c); Violated Equal protection of the law.
4. Subsequently, on November 15, 2023, a Petition for rehearing also was denied by the Illinois Supreme court.
5. Several statutes and laws under the United States Constitution is held invalid by the Illinois court decision; including abuse and violation of due process clause of the Fourteenth amendment rights of the Petitioner; violation of the Petitioner's Constitutional rights under

Title 18 U.S.C. §241,242- by *disenfranchising, denying, invalidating* the Petitioner's Constitutional rights.

6. Petitioner will be seeking review by the United States Supreme Court through filing of a Petition for a Writ of Certiorari Pursuant to Rule 13 of the United States Supreme Court.
7. In regards to denial of petition for leave to appeal to the Supreme Court of Indiana (on a delayed Petition for leave to appeal), the United States Supreme Court found that Indiana Supreme court violated the Equal Protection laws *Cook v. State*, 219 Ind. 234, 37 N.E.2d 63.
8. In *Cook*, The United States Supreme Court affirmed the Seventh circuit decision in favor of the Petitioner *Cook*, granted the Writ of Certiorari with opinion that the State Supreme court violated equal protection of the law by denying late Petition for leave to appeal, for which the State provided no remedy . Also See, *Dowd v. United States ex rel. Cook* 340 U.S. 206; 71 S. Ct. 262 . [ Before the case appealed to U.S.Supreme court by the State , the Court of Appeals for the Seventh Circuit affirmed the District court order that the State Supreme court violated the Equal Protection Law by denying the Petition for leave to appeal as late. 180 F.2d 212 ; See also *Cook v. State*, 219 Ind. 234, 37 N.E.2d 63; *State ex rel. Cook v. Wickens*, 222 Ind. 383, 53 N.E.2d 630 ; *State ex rel. Cook v. Howard*, 223 Ind. 694, 64 N.E.2d 25 , 327 U.S. 808.]
9. United States Supreme court in relation to Indiana State Supreme court abuses , and subsequent admission by the Supreme court of Indiana of violation of Equal Protection Clause of the Fourteenth Amendment, wrote “ The State Court’s discriminatory denial of the statutory right of appeal is a violation of the Equal Protection Clause of the Fourteenth Amendment” *Dowd v. United States ex rel. Cook* 340 U.S. 206 .



10. As will be shown in the filing of the Petition for a Writ of Certiorari, the Illinois Supreme Court *discriminated* against this Petitioner in denying the appeal. “ a discriminatory denial of the right of appeal is a violation of the Equal Protection Clause of the Fourteenth Amendment.” *Cochran v. Kansas*, 316 , U.S. 255
11. The discriminatory abuses of the Illinois Supreme Court in relation to Petition for leave to appeal is admonished by a prior opinion by this Supreme court in a decision where the United States Supreme court took notice of the abusive ‘pick and choose’ jurisprudence of the Illinois high court in *Griffin v. Illinois*, 351 U.S. 12; 76 S. Ct. 585 and wrote :  
" The question presented here is whether Illinois may, inconsistent with the Due Process and Equal Protection Clauses of the Fourteenth Amendment, administer this statute so as to deny adequate appellate review to the poor while granting such review to all others.”
12. For instance as to violation of Equal Access to Justice and Equal protection under the law, and discriminative jurisprudence, the Illinois Supreme court granted *Segal* to file PLA 63 days late and likewise granted late filing of PLA *instanter* to so many other multiple Petitioners, including like in *Segal*, *Morris B. Chapman Associates v. Kitzman* 193 Ill. 2d 560 ; 739 N.E.2d 1263; *ABN AMRO Mortgage Group Inc. v. McGahan* , 237 Ill. 2d 526 (Ill. 2010); *Wauconda Fire v. Stonewall Orchards* , 214 Ill. 2d 417 (Ill. 2005) *People v. Ford*, 198 Ill. 2d 68 (Ill. 2001)
13. The appeal in the instant case to the Illinois Supreme Court is triggered by judicial abuses of a corrupt lower court judge in Cook county who ‘planted’ a REMOVED state case to Federal court which was NEVER remanded, and after a year of REMOVAL, inappropriately, illegally, unconstitutionally acted on the non-existed, non-jurisdictional State case, which was appealed.

14. In *Modrowski v. Pigatto*, 712 F.3d 1166,1167 (7<sup>th</sup> Cir.2013) “Once a case has removed to federal court party desiring to petition for remand (even assuming based on any procedural defect) must file within thirty days, stating that “[a] motion to remand the case on the basis of any defect must be made within 30 days after the filing of the notice of removal.” In the instant appeal defendant Ocwen never opposed the removal and repeatedly accepted the removal.
15. United States Supreme court held,“ there exists no ‘timely raised defect’ in removal procedure.” *Things Remembered, Inc. v. Petrarca*, 516 U.S.124 (1995) . Even on any procedural defect (which is none in the instant case as the record will reflect), Federal statute under section 1446(a) mandates that once a case removed to federal court any petition for remand (based on any procedural defect) must file within thirty days after the filing of the notice of removal.)
16. The cook county state court despite entered orders that the case removed from calendar as “Federal Jurisdiction,” nevertheless allowed the defendant Ocwen to enter through the ‘back door’ AFTER a YEAR, and placed the REMOVED case in calendar, which triggered the appeal to First District Appellate court.
17. The First District Appellate court in Illinois advised in its order that a Petition for Writ of Mandamus in Illinois Supreme Court as “appropriate remedy when a lower court *erroneously assumed jurisdiction it did not possess* is a writ of mandamus” ( citing *Bremen Community High School District No 228 v. Cook County Comm’n om Human Rights*, 2012 IL App (1<sup>st</sup>) 112177, ¶ 15) “and a matter squarely falls within Supreme court original jurisdiction”, ( citing *People et rel. Glasgow v. Carlson*, 2016 IL 120544 ¶ 15)

18. Petitioner has an excellent probability of her Petition for Writ of Certiorari be taken for review and consideration by this highest court on the land from the history of numerous cases of similar nature as the instant appeal, where Certiorari is granted repeatedly by the United States Supreme Court.

“Illinois Supreme Court denied leave to appeal, and we granted the petition for certiorari.” 479 U.S. 1063 (1987) ; “Illinois Supreme Court denied the State's Petition for Leave to Appeal, 125 Ill.2d 572, 537 N.E.2d 816 (1989), and we granted certiorari”, 493 U.S. 932 (1989); *Cohen v. Beneficial Loan Corp.*, 337 U.S. 541, 546 (1949); *Abney v. United States*, 431 U.S. 651 (1977); cf. *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 476-487 (1975), *People v. Johnson* , 2017 IL 120310 (Ill. 2017); “The Supreme Court of Illinois denied leave to appeal, and we granted certiorari.” 440 U.S. 956 (1979). “The Illinois Supreme Court denied discretionary review. App. to Pet. for Cert. 1b. We granted certiorari ”, 459 U.S. 986 (1982) ; “Illinois Supreme Court denied petition for leave to appeal. There followed an appeal to this Court, and we noted probable jurisdiction” 440 U.S. 790 ; “The Illinois Supreme Court denied a petition for an appeal. We granted certiorari” 351 U.S. 949 .

19. The petition for rehearing was denied on November 15, 2023 by the Illinois court. Going by this date, the petition to file a writ of certiorari is due by February 13, 2024 (90 days). However, 28 U.S. Code § 2101 ( c ) is not clear as to when the *absolute* due date for filing of a Writ of Certiorari ends, and whether it should be *tolled* from the date of denial of Petition For rehearing on the denial of leave to appeal on November 15, 2023, which would put the due date at February 13, 2024 (90 days); or the due date to be *tolled* from the date of denial of the PLA on October 31, 2023, which would put the due date at March 29, 2024 (90 days)

20. Nevertheless, Petitioner necessarily require additional time to file the Writ of Certiorari including recruiting counsel admitted to the United States Supreme court (there are extremely limited and only handful of U.S. Supreme court admitted lawyers in Illinois, hence Petitioner intend to retain D.C. area attorneys who regularly appears in this High court.)

21. Petitioner respectfully request pursuant to 28 U.S. Code § 21019 (c) and Rule 30 (3), to grant extension of time of sixty (60) days to file a Petition for Writ of Certiorari from current due date through April 15, 2024 going by the date of rehearing denied on November 15, 2023 ; or through March 29, 2024 going by the date of denial of PLA.



## CONCLUSION

The Petitioner intended filing of Petition for a Writ of Certiorari is of extreme and paramount importance in that the Laws, Statutes of the United States Constitution are rendered *invalid, null and void* by the *unprecedented* abuses of the Judiciary by the Illinois courts which include, among other things, invalidating, disenfranchising, denying the Petitioner's constitutional rights; placed a removed case to Federal court without objection and never remanded, and after one year in state court calendar; abridged Due process clause of the Fourteenth Amendment rights; violation of Equal Protection of the law; violation of Equal Access to Justice Act ("EAJA") as summarized in this Application, which will be fully briefed in a Petition for a Writ of Certiorari.

Petitioner respectfully request this honorable Court to grant this Application and allow her extension of time to file the Petition for a Writ of Certiorari by April 14, 2024 which will toll a total of 150 days from November 15, 2023 denial of rehearing for (or by March 29, 2024 which will toll a total of 150 days from October 31, 2023 denial of PLA , ¶¶ 15-16)

January 5, 2024

CSE  
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Respectfully submitted,



By: Pushpa Shekar  
Applicant/ Petitioner/Appellant





# SUPREME COURT OF ILLINOIS

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CYNTHIA A. GRANT  
Clerk of the Court

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October 31, 2023

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Pushpa Shekar  
450 Schaumburg Road  
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In re: Shekar v. PHH Mortgage Corp.  
129368

Today the following order was entered in the captioned case:

Motion by Petitioner, *pro se*, for leave to file a Petition for Leave to Appeal Instanter. Denied.

Order entered by Justice Neville.

Very truly yours,

*Cynthia A. Grant*

Clerk of the Supreme Court



## SUPREME COURT OF ILLINOIS

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November 15, 2023

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In re: Shekar v. PHH Mortgage Corp.  
129368

Today the following order was entered in the captioned case:

Revised motion by Petitioner, *pro se*, to reconsider denial of motion for leave to file petition for leave to appeal instanter. Denied.

Order entered by Chief Justice Theis.

Very truly yours,

*Cynthia A. Grant*

Clerk of the Supreme Court

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing **APPLICATION FOR EXTENSION OF TIME** was filed the with the Clerk of the Supreme court of the United States via U.S. Mail and served upon the following by First class U.S. mail with proper postage affixed on January ~~24~~ 2024 (1-24-24)

Ron Faris  
Respondent/Appellee  
Ocwen Loan servicing  
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West Palm beach, FL 33409

  
Pushpa Shekar