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VIA REGULAR MAIL

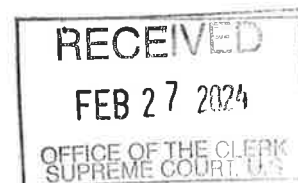
February 17, 2024

Lisa Nesbitt
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

RE: Application for a 60-day extension of time to submit a petition for writ of certiorari about *Komatsu v. City of New York*, No. 23-946 (2d Cir. Dec. 1, 2023)

Dear Ms. Nesbitt,

I am submitting this letter to request a 60-day extension of time from 2/29/24 to 4/29/24 to file my pending petition for a writ of certiorari about the order that was issued on 12/1/23 by the U.S. Court of Appeals for the Second Circuit in *Komatsu v. City of New York*, No. 23-946 (2d Cir. Dec. 1, 2023). There will be no prejudice to the opposing parties nor their attorneys if this request for an extension is granted. I seek to be represented by counsel for this appeal and am also involved in related litigation that may soon enable me to obtain critically important discovery material that will likely prove to be very beneficial for this appeal. That partly explains why I need the extension of time that I seek. Additionally, I was viciously assaulted a few days ago by being repeatedly punched on my head that wouldn't have occurred but-for ongoing and illegal negligence and harassment by City of New York personnel. That circumstance warrants the tolling of the deadline to submit my petition is warranted while I strive to continue to recover from head injuries from that assault. Attached is a copy of the Second Circuit's 12/1/23 order that capriciously refused to let me pursue an appeal to it in *Komatsu v. City of New York*, No. 23-946 (2d Cir. Dec. 1, 2023) in flagrant violation of this Court's decision in *Sheppard v. Maxwell*,



384 U.S. 333, 86 S. Ct. 1507, 16 L. Ed. 2d 600 (1966) that points out that **a)** all judges are required to continuously and diligently exercise proper control of court and **b)** a new trial should be ordered for a case if “publicity during the proceedings threatens the fairness of the trial”.

Respectfully,

/s/ Towaki Komatsu

Towaki Komatsu

A handwritten signature in black ink, appearing to be 'TK' or similar initials, written in a cursive style.

S.D.N.Y. – N.Y.C.
20-cv-7046
Ramos, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 1st day of December, two thousand twenty-three.

Towaki Komatsu,

Petitioner,

v.

23-946

The City of New York, et al.,

Respondents.

In 2021, this Court entered a leave-to-file sanction against Petitioner. *See Komatsu v. The City of New York*, 2d Cir. 21-511, doc. 92. Petitioner now moves to reinstate this appeal and for leave to file. Upon due consideration, it is hereby ORDERED that the motions are DENIED because the relief sought does not depart from Petitioner's "prior pattern of vexatious filings." *See In re Martin-Trigona*, 9 F.3d 226, 229 (2d Cir. 1993).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court




In The Supreme Court Of The United States

No.

TOWAKI KOMATSU, PETITIONER,

v.

THE CITY OF NEW YORK., ET AL.,

RESPONDENTS.

CERTIFICATE OF SERVICE

I, Towaki Komatsu, am the pro se petitioner and declare under the penalty of perjury on 2/17/24 that I caused copies of my 2/17/24 request for a 60-day extension to submit a petition for a writ of certiorari to this Court to be sent on February 17, 2024 via e-mail to those who are listed below who are the respondents and/or their counsel.

Date: February 17, 2024

/s/ Towaki Komatsu
Towaki Komatsu



How service was effectuated on 2/17/24 via e-mail:

1. **Counsel:** Corporation Counsel of the City of New York

E-mail address: ServiceECF@law.nyc.gov

Mailing address: New York City Law Department
100 Church St.
NY, NY 10007

Respondents represented (names are separated by semicolon characters):

The City of New York; Howard Redmond; Ralph Nieves; Karl Pfeffer; Andrew Berkowitz; NYPD Officer Cruz; NYPD Officer Hansen; NYPD Officer Christopher Fowler; NYPD Officer Lance; NYPD Officer John Doe 8-30-17a (he has since been identified as NYPD

Officer Juan Battle, badge # 4973); Juanita Holmes; Richard Mantellino; James O'Neill; Bill de Blasio; Nicholas Mason; NYPD Officer Mitchell; NYPD Officer John Doe1 9/14/17 (shield #: 21250); Raymond Gerola; Rachel Atcheson; Jessica Ramos; John Doe, #2, NYPD, 9/14/17; John Doe, #3, NYPD, 9/14/17; John Doe, #4, NYPD, 9/14/17; John Doe, #5, NYPD, 9/14/17; John Doe, #6, NYPD, 9/14/17; John Doe, #7, NYPD, 9/14/17; John Doe, #8, NYPD, 9/14/17; Harold Miller; Dustin Ridener; NYPD Officer Santana (shield # 7291).; Pinny Ringel; Nick Gulotta; Eric Phillips; Gale Brewer; James Clynes; NYPD Officer Keck (shield # 6313); NYPD Officer Baez (shield # 5984); Jerry Iovenio; John Doe, 1, NYPD Officer 9/26/17; Keith Dietrich; John Doe, 2, NYPD Officer 9/26/17; Jane Doe, 2, NYPD Officer 9/26/17; Jane Doe, 3, NYPD Officer 9/26/17 (she has since been identified as Gabrielle Dann-Allel); John Doe, 1, NYPD Officer 9/27/17 (he has since been identified as NYPD Officer Charles Dean); John Doe, 2, NYPD Officer 9/27/17 ; John Doe, 3, NYPD Officer 9/27/17; John Doe, NYPD Officer 9/27/17; John Doe, 1, NYPD Officer 9/28/17; John Doe, 2, NYPD Officer 9/28/17; John Doe, 3, NYPD Officer 9/28/17; John Doe, 4, NYPD Officer 9/28/17; NYPD Officer John Doe, 1, 10/4/17 (he has since been identified as NYPD Officer Charles Dean); NYPD Officer John Doe, 2, 10/4/17 (he has since been identified as NYPD Officer Michael Finnel); John Doe, 1, 10/4/17 (this is missing from the docket sheet. He has since been identified as Joshua Cortez, who worked for the New York City Mayor's Office on 10/4/17); John Doe, 2, 10/4/17; NYPD Officer Ranieri (shield # 24361); NYPD Officer Suzuki (shield # 7373); NYPD Officer John Doe, 1, 10/12/17; NYPD Officer John Doe, 2, 10/12/17; NYPD Officer John Doe, 3, 10/12/17; NYPD Officer John Doe, 4, 10/12/17; NYPD Officer John Doe, 5, 10/12/17; NYPD Officer John Doe, 6, 10/12/17; NYPD Officer Jane Doe, 1, 10/12/17; NYPD Officer Jane Doe, 2, 10/12/17; NYPD Officer Jane Doe, 3, 10/12/17; NYPD Officer Jane Doe, 4, 10/12/17; Jane Doe1 10/18/17; John Doe, 1, 10/18/17; NYPD Officer John Doe, 1, 10/18/17; NYPD Officer John Doe, 2, 10/18/17; NYPD Officer John Doe, 3, 10/18/17; NYPD Officer John Doe, 4, 10/18/17; NYPD Officer John Doe, 5, 10/18/17; NYPD Officer John Doe, 6, 10/18/17; Joe Ventri; NYPD Officer John Doe, 1, 10/25/17; NYPD Officer John Doe, 2, 10/25/17; NYPD Officer John Doe, 3, 10/25/17; NYPD Officer John Doe, 4, 10/25/17; NYPD Officer John Doe, 5, 10/25/17; NYPD Officer John Doe, 6, 10/25/17; NYPD Officer John Doe, 1, 10/26/17; NYPD Officer John Doe, 2, 10/26/17; NYPD Officer John Doe, 3, 10/26/17; NYPD Officer John Doe, 1, 11/2/17; NYPD Officer Lin (shield # 25714); NYPD Officer John Doe, 1, 11/27/17; NYPD Officer John Doe, 2, 11/27/17; Jemaal Gungor; Edward Klein; NYPD Officer Zappia (shield # 4152); NYPD Officer Barker (shield # 13845); NYPD Officer John Doe, 1, 3/18/19; NYPD Officer John Doe, 2, 3/18/19; NYPD Officer John Doe, 3, 3/18/19; NYPD Officer John Doe, 4, 3/18/19; NYPD Officer John Doe, 5, 3/18/19; Marco Carrion; Stephen Levin; Jordan Mazur; Stephen Halk; Ryan Dwyer; NYPD Detective Galante; Ritchie Torres; Sergeant Bradley; Anthony Shorris; John Doe, 1, 9/14/17; John Doe, 2, 9/14/17; John Doe, 3, 9/26/17; John Doe, 1, Tablet 9/26/17; Lawrence Byrne, Jr.; Shauna Stribula; Jane Doe, 1, 10/12/17; Brad Lander; Rafael Perez; Jane Doe, 11/13/19; Keith Powers; Kalman Yeger; Diana Ayala; Letitia James

2. **Counsel:** Robin McCabe

E-mail address: mccaber@dany.nyc.gov

Mailing address: Manhattan District Attorney's Office
One Hogan Pl.
New York, NY 10013

Respondent represented: Cyrus Vance, Jr.

3. **Counsel:** David Cohn

E-mail address: cohnda@bronxda.nyc.gov

Mailing address: Bronx County District Attorney's Office
198 E. 161st St.
Bronx, NY 10451

Telephone: 718-838-6652

Respondents represented: Bronx District Attorney John Doe, Bodyguard