

1 Lance Bengert BE8997

2 P.O. Box 290060

3 Represa CA-95671

4 Appearing Pro Per

Original Copy

5 Before The Supreme Court of The United States
6 of America

7 In the Matter of

8 Lance Bengert

9 Plaintiff

Case No 2:21-cv-01650-WBS-AC

10
11 John Dambak, Galen Church,
12 Suregh Hosvany, Sharon Brown

13 Defendants

motion to stay time limitations and
showing of good cause therefore

July 16th 2023

14 Notice is hereby given that on the above date the plaintiff in the
15 above entitled case, will move this honorable court, its Justices or
16 their appointed representatives for a stay of time limitations to take Cert.

17
18 Procedural History

19 Case No 2:21-cv-01650-WBS-AC was dismissed on June 11th 2023 by the 9th
20 Circuit court of appeals without comment neither on the case nor the appeal,
21 Thereafter a request for time extension was rendered to this court

22
23 Statement of Case

24 Good cause is rendered by the fact that my efforts to litigate are being
25 frustrated and impeded by State Authorities who will not relinquish legal
26 materials purchased by myself from their possession and have granted me

27 1 hour per week law library access partially due to malicious
28 RECEIVED San Joaquin County Case No: STK-CR-FE-2023-0004263 which

OFFICE OF THE CLERK
SUPREME COURT, U.S.

1 was referred to the District Attorney on 3/22/23 in a retaliatory fashion the
2 day after CSP-SAC received grievance of excessive use of force in a separate
3 defamatory allegation in which they began segregating the plaintiff
4 as well. The same patterns of harassment outlined previously in the
5 case at hand. Response by CSP-SAC was to coordinate with CHCF prison
6 and refer charges for prosecution from nearly two years prior from
7 the very incident outlined in case No 2:21-cv-01650-WBS-AC
8 where authorities had prevented the Plata Mendocino covid-19
9 vaccination from being received and attempted to impede access
10 to N-95 designated medical equipment designed to protect from
11 covid-19 leading to an altercation where medical care was
12 then subsequently deliberately indifferent in nature not facilitating
13 transfer to hospital for 6 hours after shoulder dislocation then failing
14 to follow the doctor recommended course of action leading to further
15 hospitalization. Further impeding litigation is CSP-SAC's refusal to
16 issue indigent envelopes when applied for rendering it difficult
17 to contact the court. I'd like to thank this honorable court for its
18 time and consideration in these matters. Signed under my own hand
19 on this 14th day of July 2023

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21 Authorizes

22 This Court is the Authority.

Janel Lynn Benson
"Chopsticks"

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UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 19 2023

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

LANCE ALYN BENSON,

Plaintiff-Appellant,

v.

JOHN DOWBAK, Orthopedic Surgeon;
SURESH HOSURU, Primary Care
Physician; GALEN H. CHURCH, CP&S;
CHCF; SHARRON BROWN, Psychiatric
Technician,

Defendants-Appellees.

No. 22-16549

D.C. No. 2:21-cv-01650-WBS-AC
Eastern District of California,
Sacramento

ORDER

Before: BENNETT, MILLER, and VANDYKE, Circuit Judges.

The district court certified that this appeal is frivolous and revoked appellant's in forma pauperis status. *See* 28 U.S.C. § 1915(a). On October 24, 2022, the court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record, the responses to the court's October 24, 2022 order to show cause, and the opening brief received on February 9, 2023, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 7), and we dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

All other pending motions are denied as moot.

DISMISSED.