

NO.

*IN THE
SUPREME COURT OF UNITES ST A TES*

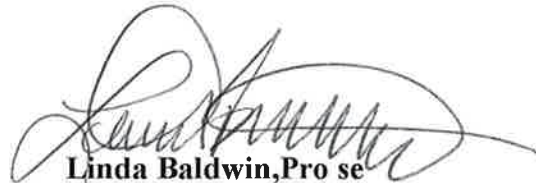
**Linda Baldwin,
Petitioner,**

vs.

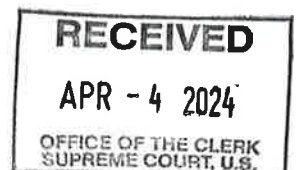
**U.S. Judge Robert Pitman
Respondent.**

*APPLICATION FOR EXTENSION OF TIME OF
WITHIN TO FILE WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT*

APPLICATION EXTENSION OF
TIME FILE WRIT OF CERTIORARI



**Linda Baldwin, Pro se
7029 Villada Street
Las Vegas, NV 89084
725 285-6601
Itistinie3@yahoo.com**



To the Honorable Judge of said Court: Come Linda Baldwin pro Se, (1). Permission to file litigation (2). Has not filed to harass. (3) has not file to delay.

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Linda Baldwin Hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, December 4, 2021 of this Court

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is Linda Baldwin vs. U.S. Judge Robert Pitman Violation of Civil Rights and denied of a dissent order she never received which prejudice her from the fifth circuit court of appeals January 19, 2024. (Exhibit A). The fifth Circuit Appeals Court State New Orleans, Louisiana denied Applicant's motion for rehearing or modification on February 29, 2024 (Attached as Exhibit B).

JURISDICTION

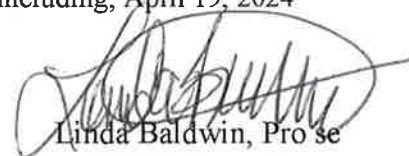
This Court will have jurisdiction over any timely filed petition for certiorari In this case pursuant to 28 U.S.C. § 1254 (1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari was due to be filed on or before April 19, 2024 in accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the fifth Circuit of the State of Louisiana in this case. Applicant request extension of time due to her back injuries and illness, as Baldwin, pro se would not usually ask for a 60-day extension request, if she was not injured as Baldwin as she moves this Court to extend the time for the filing of the certiorari initial Brief, and as grounds therefore, states:

1. The issues in this case are complex and involve the constitutionality and of a state and federal statute, 2. Additional time is necessary to prepare a writ of certiorari and given the unusually massive size of the record in this case, and the more than fourteen-years (20) prior litigation history that is also relevant to this appeal, an extension of sixty (60) days is requested to review the materials, and draft the informal opening brief. 3. There will be no prejudice to Appellee in granting this request for extension of time to file the Initial Brief. 4. This Motion is made in good faith, and not merely for purposes of delay.

WHEREFORE, Appellant respectfully requests that this Motion be granted, and that the deadline for the filing of the informal opening brief be extended by sixty (60) days, to and including, April 19, 2024



Linda Baldwin, Pro se
7029 Villada Street
Las Vegas, NV 89084
(702) 779-0483
Itistime3@yahoo.com

EXHIBIT

A

United States Court of Appeals
for the Fifth Circuit

No. 23-50349
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 19, 2024

Lyle W. Cayce
Clerk

LINDA BALDWIN,

Plaintiff—Appellant,

versus

U.S. DISTRICT JUDGE ROBERT PITMAN,

Defendant—Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 1:23-CV-426

Before SMITH, SOUTHWICK, and WILSON, *Circuit Judges.*

PER CURIAM:*

Linda Baldwin filed a pro se civil rights action against District Court Judge Robert Pitman, alleging that he had violated her constitutional rights and had discriminated against her through his adverse rulings on prior lawsuits challenging the denial of workers' compensation benefits, and asking that all orders and opinions by Judge Pitman in her prior cases be thrown out.

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

The district court noted that Baldwin had been previously barred from filing a cause of action without obtaining approval from a federal district or magistrate judge; to the extent that Baldwin was seeking authorization to file, the district court concluded that her claims were frivolous. Baldwin then moved to reopen the case, asserting that Judge Pitman and the district court judge who had ruled on her action were biased against her. The district court denied the motion to reopen, again concluding that Baldwin's attempts to challenge the validity of prior rulings should have been through direct appeals in those cases. Baldwin has now filed a motion for authorization to proceed in forma pauperis (IFP) on appeal, which constitutes a challenge to the district court's certification that any appeal would not be taken in good faith because Baldwin will not present a nonfrivolous appellate issue. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

Before this court, Baldwin repeats her assertions that Judge Pitman's prior rulings were wrong and evinced bias against her and that she is entitled to reconsideration of those decisions. She also maintains that the district court should not have entered the vexatious litigant order in an earlier action. Baldwin has not shown that the district court erred in ruling that any challenges to those earlier rulings should have been presented in appeals from those cases, rather than through new lawsuits. *See Alvestad v. Monsanto Co.*, 671 F.2d 908, 912 (5th Cir. 1982) (noting we review such decisions under an abuse of discretion standard). In addition, she has not shown that her assertions of bias against the district judge who ruled in those cases could not have been raised and appealed in those proceedings. *See Liteky v. United States*, 510 U.S. 540, 543-56 (1994). Thus, Baldwin has not established that her proposed claims were nonfrivolous or that the district court erred in denying her leave to file the complaint.

~~The appeal is without arguable merit and is thus frivolous. See Howard~~
v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Accordingly, Baldwin's motion

to proceed IFP on appeal is DENIED, and the appeal is DISMISSED. *See id.*; *Baugh*, 117 F.3d at 202 & n.24; 5TH CIR. R. 42.2. Baldwin's motion to reinstate a dissent order is DENIED.

~~The instant case is Baldwin's eighth attempt in federal court to challenge the denial of workers' compensation benefits arising from injuries she suffered in 2006 and 2007.~~ The district court has barred Baldwin from filing further actions without obtaining consent from a federal district or magistrate judge. In addition, this court has previously barred Baldwin from filing further pleadings in an unsuccessful appeal. Despite these limits, Baldwin continues to file frivolous pleadings. Accordingly, Baldwin is WARNED that any further attempts to challenge the denial of benefits arising from her injuries in 2006 and 2007, against any party, will invite the imposition of sanctions. *See Coghlan v. Starkey*, 852 F.2d 806, 817 n.21 (5th Cir. 1988) (holding that this court has the inherent power to sanction litigants for frivolous or repetitive filings).

EXHIBIT

B

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

February 29, 2024

Ms. Linda Baldwin
7029 Villada Street
Las Vegas, NV 89084

No. 23-50349 Baldwin v. Pitman
USDC No. 1:23-CV-426

Dear Ms. Baldwin,

We are taking no action on your motion to reopen an application appeal, motion to strike, motion to reopen application motion to reinstate dissent order in light of the court's decision on January 1, 2024.

Sincerely,

LYLE W. CAYCE, Clerk

Lisa E. Ferrara

By: _____
Lisa E. Ferrara, Deputy Clerk
504-310-7675

23-50349

Ms. Linda Baldwin
7029 Villada Street
Las Vegas, NV 89084

