

April 17th, 2024

Honorable Elena Kagan
Circuit Justice for the United States Court of Appeals for the Ninth Circuit:
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

RE: Request for extension of time to file petition for writ of certiorari.

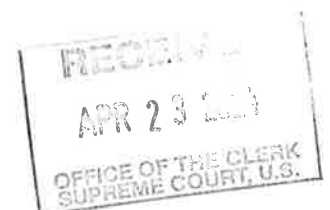
In accordance with this Court's Rules 13.5, 22, 30.2, and 30.3, Applicant Daniel Scott Robinson respectfully requests that the time to file his petition for a writ of certiorari to the U.S. Supreme Court be extended for 60 days, up to and including Monday, July 1st, 2024. The Hawaii State Supreme Court issued its opinion on February 2nd, 2024 (Exhibit A) and the Hawaii Intermediate Court of Appeals issued a final judgment on February 7th, 2024 (Exhibit B). Absent an extension of time the petition would be due on April 30th, 2024. The jurisdiction of this Court is based on 28 U.S.C. 1254(1) and 28 U.S.C. 1254(2).

Background

This case presents an important national question on the illegal application of "Best Interest" factor used in 26 different state family courts as well as a judge's oath of office and sworn duty to report crimes under Hawaii Rules of Judicial Conduct 2.15. In this case (Hawaii 3rd Circuit Family Court Case No. 3FDV-22-0000801) the petitioner tried to expose numerous crimes within and outside the court and filed 3 Notices of Unconstitutionality trying to defend himself and his children and the state of Hawaii refused to hear the criminal complaints and used the "Best Interest" factor to retaliate against the plaintiff and restrict his state, federal, and constitutional rights and his ability to defend himself, his children, and others. Even after the petitioner was found innocent of any wrongdoing, the court broke by the petitioners count, 18 different laws and continued to retaliate against him. The Hawaii State Supreme Court did grant a petition for writ of certiorari which was quickly dismissed even though the petitioner filed over seven hundred pages of evidence that the state was in violation of state, federal, and constitutional statutes.

Reasons for Granting an Extension of Time

Good cause exists for the requested extension because the petitioner is a pro se litigant who has had to spend thousands of hours preparing his defense, filing multiple motions, filing multiple appeals, and filing multiple legal complaints including one against the Honorable Judge Mahilani Hiatt to the Hawaii Commission on Judicial Conduct in which Judge Hiatt had "appropriate action" taken against her for her misconduct (Exhibit C). As a single father caring for his mother with Stage 4 Breast Cancer, 3 young children, and who works to support himself he has limited time to file the petition for writ of certiorari due to the legal onslaught of motions that he has had to defend against as well as what the petitioner believes are illegal actions of the Hawaii State Judiciary.



Conclusion

The petitioner humbly and respectfully requests that the time to file a writ of certiorari in the above matter be extended 60 days to and including July 1st, 2024.

Dated this 17th, day of April 2024

Respectfully submitted,

A handwritten signature in black ink that reads "Daniel Scott Robinson". The signature is written in a cursive, slightly slanted style.

Daniel Scott Robinson
Pro Se Litigant
233 Punahale Street
Hilo, HI 96720
Tel: (808) 498-7234
Email: Daniel.robinsonrn@hotmail.com

Exhibit A

Electronically Filed
Supreme Court
SCPW-24-000004
02-FEB-2024
09:37 AM
Dkt. 19 ODDP

SCPW-24-000004

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

IN RE DANIEL SCOTT ROBINSON

ORIGINAL PROCEEDING
(CASE NO. 3FDV-22-0000801)

ORDER DENYING PETITION AND DISMISSING APPLICATION FOR TRANSFER
(By: Recktenwald, C.J., McKenna, Eddins, Ginoza, and Devens, JJ.)

Upon consideration of the documents filed by Daniel Scott Robinson (Robinson) on January 2, 2024, and the record, Hawai'i Revised Statutes (HRS) § 602-58 (2016) allows a transfer of an appeal within the jurisdiction of the Intermediate Court of Appeals (ICA) to this court. For this to possibly happen, the appeal must first be filed in the ICA. A record on appeal is then filed in the ICA case following the filing of the notice of appeal. An application for transfer may be filed in this court no earlier than ten days after the filing of the record on appeal and no later than twenty days after the last brief is filed or could have been filed. Hawai'i Rules of Appellate Procedure (HRAP) Rule 40.2(a)(2) (2012). Thus, it is ordered:

1. Robinson's request to transfer an appeal from the ICA to this court is dismissed without prejudice to re-filing a transfer application no earlier than ten days after the filing of the record on appeal and no later than twenty days after the last brief is filed or could have been filed.

2. To the extent the relief sought could be construed as a petition for a writ of mandamus, the petition is denied because Robinson has not demonstrated a clear and indisputable right to relief nor a lack of alternative means to seek relief. See Kema v. Gaddis, 91 Hawai'i 200, 204, 982 P.2d 334, 338 (1999).

3. The appellate clerk shall file Robinson's documents as a new appeal in the ICA, as appropriate, including the request to proceed in forma pauperis and motion for stay. A copy of this order shall be filed in the new appeal.

4. The request to proceed in forma pauperis in this original proceeding is dismissed as moot.

5. The motion for stay is dismissed without prejudice to consideration by the ICA.

DATED: Honolulu, Hawai'i, February 2, 2024.

/s/ Mark E. Recktenwald

/s/ Sabrina S. McKenna

/s/ Todd W. Eddins

/s/ Lisa M. Ginoza

/s/ Vladimir P. Devens



Exhibit B

Electronically Filed
Intermediate Court of Appeals
CAAP-24-0000066
07-FEB-2024
07:56 AM
Dkt. 8 ODSLJ

NO. CAAP-24-0000066

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

D.R., Plaintiff-Appellant, v.
T.R., Defendant-Appellee

APPEAL FROM THE FAMILY COURT OF THE THIRD CIRCUIT
(CASE NO. 3FDV-22-0000801)

ORDER DISMISSING APPEAL FOR LACK OF JURISDICTION

(By: Leonard, Acting Chief Judge, Nakasone and McCullen, JJ.)

Upon review of the record, we conclude that the court lacks appellate jurisdiction over self-represented Plaintiff-Appellant D.R.'s appeal from the Family Court of the Third Circuit's November 22, 2023 "Order from November 16, 2023," as it is not a final, appealable decree, order, or judgment. See Hawaii Revised Statutes § 571-54 (2018); Hall v. Hall, 96 Hawai'i 105, 111 n.4, 26 P.3d 594, 600 n.4 (App. 2001) (holding that a post-judgment order is an appealable final order if it finally determines the post-judgment proceeding), aff'd in part, and vacated in part on other grounds, 95 Hawai'i 318, 22 P.3d 965 (2001).

Therefore, IT IS HEREBY ORDERED that the appeal is dismissed for lack of appellate jurisdiction.

NOT FOR PUBLICATION IN WEST'S HAWAI'I REPORTS AND PACIFIC REPORTER

IT IS FURTHER ORDERED that all pending motions are dismissed.

DATED: Honolulu, Hawai'i, February 7, 2024.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Sonja M.P. McCullen
Associate Judge



Commission on Judicial Conduct — THE JUDICIARY • STATE OF HAWAII
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Dickson C.H. Lee, Esq.
Benjamin M. Matsubara, Esq.
Lynne T. Waters

Exhibit C

April 11, 2024

Mr. Daniel Robinson
233 Punahale Street
Hilo, HI 96720

Re: Complaint against Per Diem Judge Mahilani E.K. Hiatt

Dear Mr. Robinson:

The Commission on Judicial Conduct acknowledges receipt of your undated letter along with your exhibits which were received on October 6, 2023. The Commission has completed its review and investigation of your complaint against Per Diem Judge Mahilani E.K. Hiatt.

This is to inform you that, after careful consideration, appropriate action has been taken and the matter is now deemed concluded. The information you have provided will also remain a part of the Commission's records for future consideration should that become necessary or appropriate.

The Commission appreciates your taking the time to bring your concerns to its attention.

Very truly yours,

/s/ James A. Kawachika

James A. Kawachika
Chair

JAK:st