

No. A \_\_\_\_\_

**In The  
Supreme Court of the United States**

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**DR. USHA JAIN AND MANOHAR JAIN**  
Petitioners,

v.

Donald Myers, Heather Higbee, John Kest, Kevin Weiss,  
Renee Roche, Mr. Wert and Mya Hatchette  
Respondents

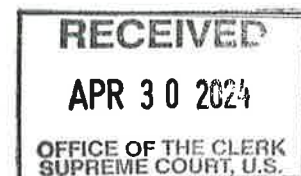
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On Application for Extension of Time to File a Petition for Writ of Certiorari to the  
United States Court of Appeals for the Federal Circuit

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**PETITION OF DR. USHA JAIN AND MANOHAR JAIN FOR AN EXTENSION  
OF TIME WITHIN WHICH TO FILE A PETITION FOR A WRIT OF  
CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE  
ELEVENTH CIRCUIT**

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To the Honorable Clarence Thomas Justice for the United States Court of Appeals for the Federal Circuit:

Pursuant to Supreme Court Rule 13.5, *pro se* Petitioners Dr. Usha Jain and Manohar Jain, respectfully request that the time to file a petition for a writ of certiorari in this matter be extended by 60 days, up to and including July 6, 2024. In support thereof, Petitioners state the following:

1. **Judgement to be Reviewed:** The judgement from which review is sought is Manohar Jain et. al. v. David Barker et.al, Case No. 2022- 12342, which was decided by the 11<sup>th</sup> Federal Circuit on January 4, 2024. A copy of that decision is attached as Appendix 1. Petitioners sought rehearing by the Federal Circuit, which was denied on February 6, 2024. A copy of the Federal Circuit's order denying rehearing is attached as Appendix 2

2. **Current Deadline:** The current deadline for filing a petition for writ of certiorari is May 6, 2024. This Application has been filed at least 10 days prior to that date pursuant to Supreme Court Rule 13.5. Petitioners have not previously sought an extension of time.

3. **Jurisdiction:** The jurisdiction of this Court is based on 28 U.S.C. §1254(1). This court has jurisdiction to hear the judgment of highest court of the state regarding the Federal Law and the Constitution of United States of America.

4. **National Significance:** This case is of national significance due to substantial and important questions regarding the violation of *pro se* litigants' First and Fourteenth Amendment rights:

- **Right to Petition for Redress:** The holding of my notice of appeal and

reconsideration motion in the chamber for six months constitutes a violation of my First Amendment right to petition the government for a redress of grievances. The First Amendment guarantees individuals the right to seek remedies for perceived injustices through the legal system. The prolonged delay in processing my filings effectively denied this fundamental right.

- **Equal Protection and Due Process:** The unequal treatment of my filings compared to those of other litigants violates the Equal Protection Clause of the Fourteenth Amendment. All litigants whether represented by counsel or not, are entitled to equal protection under the law. The preferential treatment given to other filings over pro se Petitioners is a clear violation of this constitutional guarantee.

- **Chilling Effect and Access to Justice:** The actions of Judge Mendoza in holding the notice of appeal and reconsideration motion in the chamber for six months (making it untimely) may have a chilling effect on other litigants seeking to exercise their First and Fourteenth Amendment rights. The threat of similar delays and denials of access to the courts could deter individuals from seeking redress for grievances, undermining the principles of free speech and access to justice enshrined in the First Amendment.

#### **5. Reasons for Extension:**

- **Continued Jurisdiction and Execution of Judgment:** This case is being continued in state court and federal court. The state court has continued its jurisdiction over the case by the endorsed order and not a formal written order and is proceeding with the execution of the judgment while the case is still in federal court.

This ongoing action directly impacts our ability to prepare the writ effectively, as the underlying issues remain in a state of flux.

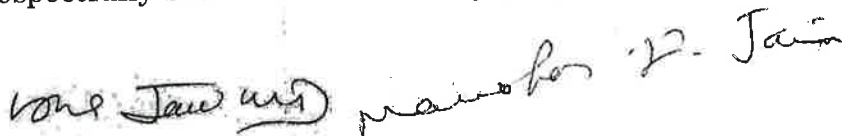
- **Overlapping Trials:** There is also a trial in another unrelated state court case, Odom vs Jayma Ambe 2019-ca-4783, which has taken up a significant amount of time in preparation. The trial was rescheduled from April 22 to May 20, 2024 due to incomplete discovery. This overlap significantly impacted our ability to prepare adequately for the Supreme Court case within the original timeline.

#### **6. Lack of Prejudice:**

Petitioners submit that the requested extension of time would neither prejudice the Respondent nor result in undue delay in the Court's consideration of the petition, and that good cause exists to grant the requested extension.

For the foregoing reasons, both undersigned petitioners, Dr. Usha Jain and Manohar Jain, respectfully request a 60-day extension to file the writ of certiorari, up to and including July 6, 2024. This extension will ensure sufficient time to fully address all legal matters and present a thorough case to the Supreme Court, which ultimately serves the interests of justice. It is essential that the Supreme Court address these issues to reaffirm the importance of the First and Fourteenth Amendments and ensure that all individuals can exercise their rights without fear of reprisal or obstruction.

Respectfully submitted on this day of April 22, 2024.

Handwritten signature of Usha Jain and Manohar Jain in cursive script.

Dr. Usha Jain and Manohar Jain *Pro Se*