

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

TARA MCCLUSKEY EL -

Petitioner,

VS.

CELEBRITY CRUISES, INC. -

Respondent(s)

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES DISTRICT COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

**MOTION TO DIRECT THE CLERK TO FILE THE PETITION OUT
OF TIME**

Tara McCluskey El

1585 62nd St. #8771

Emeryville, California Republic [94662]

(650) 701-3356 Petitioner in Pro se/ Race: White woman

RECEIVED

SEP 12 2023

OFFICE OF THE CLERK
SUPREME COURT U.S.

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Case listed online at the following: <https://www.tgso.tv/celebritycruisesfraudcase>

Dear sir or madame,

I, Tara McCluskey El, the petitioner in this case, filed an Emergency Motion to STAY the mandate pending the ruling in the Supreme Court (this court) in this matter. I have inserted the evidence below of the filing. I was told that “that Motion” was premature and I had to wait to see “*if and when*” my Motion to File Excess Words for en banc Hearing Petition was **denied**. I was told that “*only then*” I could file the Motion to STAY the mandate and that the “*90 day clock does not start tolling until my already submitted en banc hearing petition excess words was denied*”. That denial happened on May 22, 2023 and that made the 90 day clock end on August 21, 2023 “being that August 20, 2023 fell on a Sunday”. The *only way I could file my petition* is “**excess words**” because the lower courts and appellant court were working overtime in attempts to keep my evidence off the record. So when they denied the excess words docket entry 58 below, I was lead to believe this was the start of the 90 day tolling. I could not make my petition comply with the word limitation as it would have been deficient of the evidence needed to be put in front of the judges deciding my case to make an honorable determination.

05/12/2023 [\[56\]](#) **EMERGENCY MOTION to stay mandate filed by Tara Ella. Motion is Opposed. [56] [21-14139] (ECF: Tara McCluskey El) [Entered: 05/12/2023 11:18 PM]**
3 pg. 52.07 KB

05/22/2023 57 No action will be taken on the appellant's motion to stay the mandate because it is premature. The appellant can refile the motion if and when the Court denies her construed petition for rehearing en banc [56]. [Entered: 05/22/2023 11:06 AM]

05/22/2023 56
2 pg. 23.97 KB [Entered: 05/22/2023 04:05 PM]

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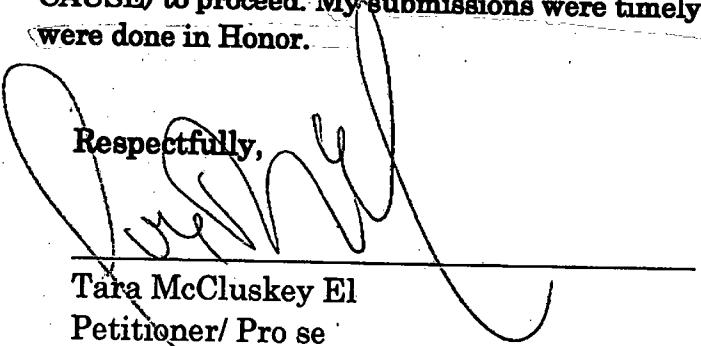
My en banc rehearing was denied on May 22, 2023 and that put the 90 days at August 21, 2023. I ask this honorable court please understand my confusion "if there in fact is a discrepancy with the 90-day timeline in this extraordinary circumstance." It is in the greatest interest and furtherance of justice. I did not address a particular judge because I was not instructed to but I am enclosing 10 copies. If you find my Motion or Writ of Certiorari in any way deficient, please allow me the opportunity to cure.

SUPREME COURT RULE 13 states:

the time to file the petition for a writ of certiorari for all parties (whether or not they requested rehearing or joined in the petition for rehearing) runs from the date of the denial of rehearing or, if rehearing is granted, the subsequent entry of judgment.

5. For good cause, a Justice may extend the time to file a petition for a writ of certiorari for a period not exceeding 60 days. An application to extend the time to file shall set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified. The application must be filed with the Clerk at least 10 days before the date the petition is due, *except in extraordinary circumstances*. This is an extraordinary circumstance if in the event you find that this petition is untimely based on the information given to me by the 11th Circuit Court of Appeals for calculating the 90 day time frame; please allow me (FOR GOOD CAUSE) to proceed. My submissions were timely based on the information I was given and they were done in Honor.

Respectfully,


Tara McCluskey El
Petitioner/ Pro se
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Dated this: September 3, 2023

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PARTIES TO THE PROCEEDINGS

***All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:**

Petitioner is Tara McCluskey El, Tara McCluskey

Respondent's are Celebrity Cruises, Inc.

Amanda Campos

Kathleen M. Williams

Chris McAliley

Robert J. Luck

Elizabeth L. Branch

Jill A. Pryor

Robin S. Rosenbaum

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RULE 29.6 STATEMENT

Pursuant to Supreme Court Rule 29.6, Celebrity Cruises, Inc., successor by merger is a wholly owned subsidiary of Royal Caribbean.

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PREVIOUSLY SUBMITTED AND ALSO LISTED

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure, and 11th Circuit Local Rules 26.1-1, 26.1-2, and 26.1-3, Celebrity Cruises Inc., is not a publicly traded company; however, its parent corporation, Royal Caribbean Cruises, Ltd., is a publicly traded company under the symbol “RCL” on the New York Stock Exchange, and no other publicly held corporation owns more than 10 percent of its stock.

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RELATED CASES

Tara Mccluskey El v. Celebrity Cruises, Inc.

McCluskey El v. Celebrity Cruises 1:20-cv-24706

No. 1:20-cv-24706 United States District Court for the Southern District of Miami
entered on November 16, 2020

Tara Mccluskey El v. Celebrity Cruises, Inc.

No. 21-14139, United States Court of Appeals for the Eleventh Circuit.
Judgement entered 5/22/2023

Defendants are opposed.

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