

No. _____

IN THE
The Supreme Court of the United States

EDMUND J. JANAS, II — PETITIONER

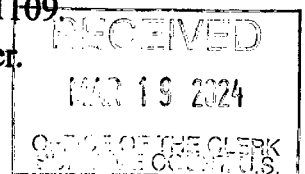
vs.

UNITED STATES OF AMERICA, ET AL,

TRINITY HEALTH OF NEW ENGLAND, Mercy Medical Center - Formerly
Riverbend; WINGATE OF SPRINGFIELD; BAYSTATE MEDICAL CENTER;
ATLANTIC CHARTER INSURANCE COMPANY; BRUNELLE FUNERAL
HOME; MASSHEALTH,
— RESPONDENT(S).

MOTION FOR LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI
OUT OF TIME

Edmund J. Janas, II
27 Dorchester Street
Springfield, MA 01109
Petitioner in Pro Per.



Petitioner, Edmund J. Janas, II, respectfully requests leave to file a Petition for Writ of Certiorari out of time due to a clear procedural oversight at the district court level, the unprecedented disruptions caused by the COVID-19 pandemic, and a failure by the courts to provide essential procedural guidance as required. This motion outlines the extraordinary circumstances that justify the Court's consideration for an extension.

- **Procedural Misguidance by the Court:** In direct contravention of the duty to provide procedural guidance to pro se litigants, the district court clerk erroneously advised the petitioner to appeal to a higher court without first suggesting a motion for reconsideration at the district level. This misadvice directly led to a misunderstanding of the appeal process, critically impacting the petitioner's legal strategy and timing.
- **Impact of COVID-19 Pandemic:** The filing timeline was significantly affected by the court closures and operational disruptions at the onset of the COVID-19 pandemic. The petitioner's case dismissal coincided with the courts' reopening, during which time the standard procedural guidance was not adequately provided. This lack of support occurred despite the judiciary's well-established obligation to assist pro se litigants, especially during such unprecedented times.
- **Efforts to Secure Legal Representation:** The petitioner made extensive efforts, approximately 20 attempts from lawyers statewide, to secure legal representation, facing consistent denials based on age bias and the case's perceived complexities. Additionally, two motions for legal assistance were unjustly denied, further encumbering the petitioner's ability to navigate the legal system.
- **Extraordinary Circumstances:** The combination of erroneous procedural advice, significant pandemic-related court disruptions, systemic bias against providing legal support to elderly litigants, and the denial of motions for legal assistance constitutes extraordinary circumstances. These factors have unjustly prejudiced the petitioner's right to a fair legal process.
- **Request for Consideration:** Given these extraordinary circumstances, the petitioner respectfully requests that this Court grant the motion for leave to file the Petition for Writ of Certiorari out of time. This case not only involves critical issues related to the petitioner but also has broader implications for the fair treatment of veterans by the VA and the accessibility of legal recourse for elderly individuals affected by tort reform.

Conclusion: The petitioner implores the Court to recognize the exceptional nature of the procedural and systemic challenges encountered. Granting this motion would affirm the judiciary's commitment to justice and accessibility, particularly for pro se litigants facing extraordinary circumstances. The importance of the underlying issues at stake, and the clear procedural misguidance received, merit the Court's compassionate consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edmund J. Janas, II", followed by a horizontal line extending to the right.

Edmund J. Janas, II, Pro Se Petitioner

March 15, 2024