

**UNITED STATES SUPREME COURT
1 FIRST STREET, NE
WASHINGTON, DC 20543**

“IN THE SUPREME COURT OF THE UNITED STATES”

CARTER RODOWICZ,
PRO-SE PLAINTIFF / APPELLANT

CASE NUMBER 24-997

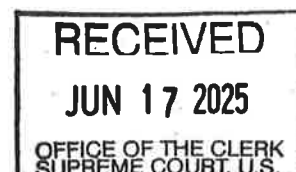
V.

FELDMAN, PERLSTEIN & GREENE LLC
DEFENDANT / APPELLEE

June 13, 2025

PRO-SE PLAINTIFF / APPELLANT’S REQUEST FOR A SIXTY (60) DAY
EXTENSION OF TIME TO FILE A “PETITION FOR A WRIT OF CERTIORARI”

This Pro- Plaintiff / Appellant, Carter Rodowicz, is respectfully requesting a Sixty (60) day time extension to file my “Petition for a Writ of Certiorari”, in accordance with my understanding of the Supreme Court Rule 13.5, due to my illness over the past few months (*Reference attachment “A”*) that has increased and has severely weakened me resulting in numerous visits to the VA in in effort to determine a possible cure as well as the loss of my daughter on June 8, 2025 (*Reference attachment “B”*) that has consumed painful days in preparing funeral arrangements and the upcoming burial.



I SINCERELY apologize for consuming the Supreme Court's time relative to this time extension request, but the INJUSTICE that has been done to me, by evil and corrupt individuals, for which I, as a non-lawyer, 76 years of age, and disabled Veteran, have been attempted to expose over the past five (5) years, has indisputably impacted my health and has severely weakened me and I don't have the knowledge as to what State and/or Federal Agency to contact to address the Clear and Indisputable, acts of Fraud, Theft, and Racketeering, by those evil and corrupt individuals resulting in Millions of Dollars in damages to my family, but GOD willing, I will live long enough to expose the conduct of those evil and corrupt individuals, and obtain JUSTICE.

In light of the information provided above, I again RESPECTFULLY request a time extension of sixty (60) days to file my "Petition for a Writ of Certiorari".

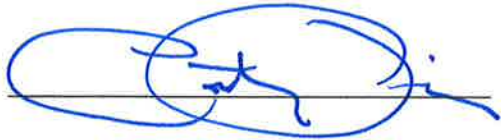
Respectfully submitted,



Carter Rodowicz, Pro-Se Plaintiff / Appellant

CERTIFICATION

I, Carter Rodowicz, hereby Certify that a copy of the Plaintiff / Appellant's Request for an extension of time to file a "Petition for a Writ of Certiorari", with attachments "A" and "B", was provided to the Defendant / Appellee, Feldman, Perlstein & Greene, 10 Waterside Drive, Suite 303, Farmington, Connecticut 08032, via U.S. Mail on June 13, 2025.



Carter Rodowicz, Pro-Se Plaintiff / Appellant

24-997-cv

Rodowicz v. Feldman, Perlstein & Greene, LLC

**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT**

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 31st day of March, two thousand twenty-five.

PRESENT:

**AMALYA L. KEARSE,
ROBERT D. SACK,
EUNICE C. LEE,**
Circuit Judges.

Carter Rodowicz,

Plaintiff-Counter-Defendant-Appellant,

v.

24-997

Feldman, Perlstein & Greene, LLC,

Defendant-Counter-Claimant-Appellee.

for reconsideration, which was denied. He then timely appealed. We assume the parties' familiarity with the other relevant facts, the procedural history, and the issues on appeal.¹

I. Dismissal Order

Rodowicz does not challenge the district court's dismissal under Rule 12 of three of his four claims against Feldman. Therefore, any issues relating to those claims are forfeited. *See Green v. Dep't of Educ. of N.Y.C.*, 16 F.4th 1070, 1074 (2d Cir. 2021) (per curiam) (providing that issues not raised in an appellant's opening brief are deemed abandoned).

II. Summary Judgment Decision

We review a district court's grant of summary judgment de novo, construing the record in the light most favorable to the non-moving party and resolving ambiguities and drawing all reasonable inferences against the moving party. *Kee v. City of New York*, 12 F.4th 150, 157–58 (2d Cir. 2021). Summary judgment is appropriate if “the movant shows that there is no genuine dispute as to any

¹ When this appeal was filed, there remained pending in the district court a counterclaim filed by Feldman against Rodowicz, making this appeal premature, *see generally* 28 U.S.C. § 1291. However, Feldman advised this Court that it would withdraw its counterclaim, and it did so on February 17, 2025. Accordingly, “we deem the jurisdictional defect cured.” *Hanlin v. Mitchelson*, 794 F.2d 834, 837 (2d Cir. 1986).

such an obvious and gross want of care and skill that the neglect would be clear even to a layperson.” *Paul v. Gordon*, 754 A.2d 851, 853 (Conn. App. Ct. 2000).

The district court properly ruled that this was not a case in which neglect would be clear to a layperson. Rodowicz’s claim of legal malpractice required expert evidence, without which a layperson would not understand the standard of care or causation, because his claim pertained to “extended proceedings” concerning “a complex case about the administration of a trust.” *Rodowicz*, 2024 WL 1256044, at *3. The facts here are not comparable to a scenario in which legal counsel did “absolutely nothing” for a client, such that counsel’s responsibilities, and alleged shortcomings, would be obvious to a lay juror without the benefit of expert testimony to contextualize the issues.

Rodowicz did not identify, or state that he would call, an expert witness and, even after Feldman moved for summary judgment based on the absence of an expert witness, Rodowicz still did not obtain one. Although Rodowicz tries to blame the district court and opposing counsel for his failure to identify an expert witness, it was not the judge’s or opponent’s responsibility to ensure that Rodowicz was aware of the elements of his claim. *See Jorgensen v. Epic/Sony Records*, 351 F.3d 46, 50 (2d Cir. 2003) (the fact that a plaintiff is proceeding pro se

to obtain them, and (4) why the affiant was unsuccessful in those efforts.” *Elliott v. Cartagena*, 84 F.4th 481, 493 (2d Cir. 2023) (internal quotation marks omitted).

The district court did not abuse its discretion in denying Rodowicz’s September 2023 request for an additional 30 days to obtain an expert. In August 2021, the district court agreed to a deadline of June 1, 2022 for Rodowicz to designate any trial experts. In October 2022, the court extended that deadline to December 1, 2022. In April 2023, the court granted Rodowicz a new deadline of July 3, 2023. Rodowicz thus had some two years of discovery proceedings to do the necessary research and obtain an expert witness, and at no point during this period did he identify any expert witnesses or detail efforts to obtain such a witness. Further, Feldman’s motion for summary judgment put him on notice of the issue and, even then, he still did not obtain an expert. Under the circumstances, the district court did not abuse its discretion because Rodowicz did not: (1) file a Rule 56(d) affidavit presenting the necessary information, (2) show good cause for his delay, (3) identify an expert who would testify for him, or (4) demonstrate that prejudice would result if an extension were not granted because he has never shown that an expert would testify in his favor.



Carter Rodowicz <carterrodowicz@gmail.com>

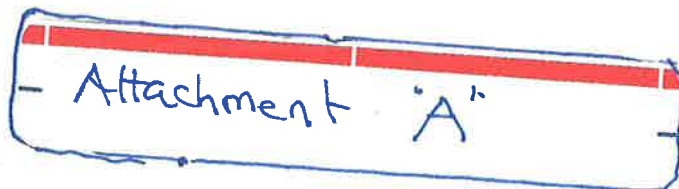
VA Appointment Reminder

1 message

Department of Veterans Affairs: My HealtheVet <No_Reply_Allowed@va.gov>
To: carterrodowicz@gmail.com

Sun, Apr 6, 2025 at 5:36 AM

Dear Carter,



This is a reminder that you have one or more upcoming VA Appointment(s).

Upcoming Telephone, Video or In-Person VA Appointment(s):

Some VA appointments may not be viewable in My HealtheVet. The date and time shown for your VA Appointment(s) below reflects the time zone where your appointment is scheduled.

09 Apr 2025 @ 1100 EDT

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-8262

29 Apr 2025 @ 1400 EDT

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-6838

05 Jun 2025 @ 1430 EDT

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-8262

Your VA Appointment information was last updated in My HealtheVet on 25 Mar 2025 @ 0357 EDT. Any changes you or the VA staff have made since then are NOT included in this letter.

Before Your Appointment:

Call your VA facility to validate the date, time including the time zone, and type of appointment (*telephone, video, in-person*).

Bring your health insurance information.

You may have access to schedule or cancel a VA appointment online.

CORONAVIRUS:

If you have Coronavirus symptoms such as fever, cough, and/or shortness of breath, call your local VA medical center. If you have an appointment, consider changing it to a telehealth appointment. Read VA's latest coronavirus information.

Quick Reference Guide:

View the clinic where you are scheduled and other details of your VA Appointments

1. Go to My HealtheVet at www.myhealth.va.gov and log on to your account
2. Select the Get Care tab, then select the Appointment tab to view your VA Appointments Summary
3. Select the clinic name to view your VA Appointment details

Change your VA Appointment email notification settings

1. Go to My HealtheVet at www.myhealth.va.gov and log on to your account
2. Select the Personal Information tab from the main menu, then select My Profile

If you received this message in error or need technical assistance, please contact the My HealtheVet Help Desk or by phone 1-877-327-0022 Monday - Friday, 7:00 a.m. - 7:00 p.m. CT or 1-800-877-8339 (TTY). To inquire about an appointment, contact your local VA facility. You can use the facility locator find the telephone number and location of the nearest facility.

Please do not reply directly to this email as it is an automated message from the My HealtheVet System



Carter Rodowicz <carterrodowicz@gmail.com>

Reminder for Your Upcoming VA Appointment

1 message

Department of Veterans Affairs: My HealtheVet <No_Reply_Allowed@va.gov>
To: carterrodowicz@gmail.com

Wed, May 14, 2025 at 4:15 AM

Dear Carter,

This is a reminder that you have one or more upcoming VA Appointments.

Upcoming VA Appointments

Some VA appointments may not be viewable in My HealtheVet. The date and time below reflect the time zone of the scheduled appointment location.

15 May 2025 @ 09:15 AM EDT (THURSDAY)

Status: Canceled

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-8701

20 May 2025 @ 08:30 AM EDT (TUESDAY)

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-6267

20 May 2025 @ 11:00 AM EDT (TUESDAY)

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-8381

28 May 2025 @ 02:00 PM EDT (WEDNESDAY)

Status: Confirmed

Medical Center Division: PORT SAINT LUCIE CBOC

Clinic Contact Information: 772-878-7876

29 May 2025 @ 08:00 AM EDT (THURSDAY)

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-6838

05 Jun 2025 @ 08:00 AM EDT (THURSDAY)

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC

Clinic Contact Information: 561-422-8262

05 Jun 2025 @ 09:00 AM EDT (THURSDAY)

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC
Clinic Contact Information: 561-422-8262

05 Jun 2025 @ 02:30 PM EDT (THURSDAY)

Status: Canceled

Medical Center Division: WEST PALM BEACH VAMC
Clinic Contact Information: 561-422-8262

06 Jun 2025 @ 01:00 PM EDT (FRIDAY)

Status: Confirmed

Medical Center Division: PORT SAINT LUCIE CBOC
Clinic Contact Information: 772-878-7876

16 Jun 2025 @ 01:00 PM EDT (MONDAY)

Status: Confirmed

Medical Center Division: WEST PALM BEACH VAMC
Clinic Contact Information: 561-422-8262

Note: This information was last updated on 13 May 2025 @ 05:05 AM EDT.

For a complete list of all your upcoming VA appointments, go to appointments on VA.gov <https://www.va.gov/my-health/appointments>.

How to prepare for your appointment

Learn about what to bring to your appointment at <https://www.va.gov/resources/what-should-i-bring-to-my-health-care-appointments>.

VA Appointment email address and notification settings

Make sure your email address is up to date in your VA.gov profile to continue receiving email reminder notifications. To change your preferences for appointment reminders and other notifications go to <https://www.va.gov/profile>.

If you think you received this email by mistake, call us at **1-877-327-0022** (TTY:711) We're here Monday through Friday, 8:00 a.m. - 8:00 p.m. ET.

This is an automated message. Please do not reply to this email.

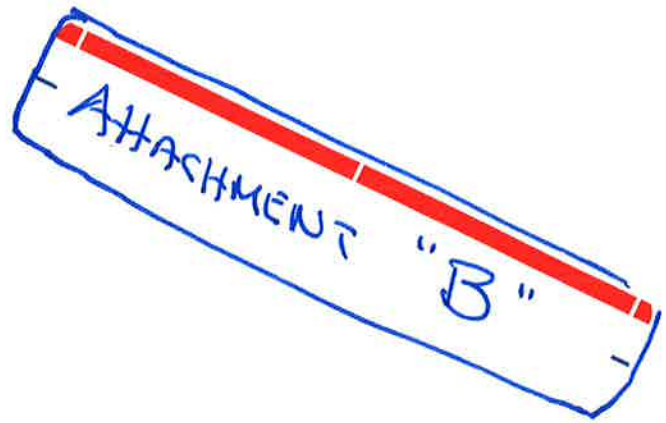
RODOWICZ, CARTER FRANKLYN

~~06/06/2025 13:00 PSL ULTRASOUND~~
06/16/2025 13:00 WPB NEURO MD III 8A
06/24/2025 11:30 WPB PHONE NUTRITION PACT
07/01/2025 12:30 PSL AUDIO EVAL 1
08/21/2025 11:00 WPB NUC MED PET/CT-CANCER
08/21/2025 13:45 WPB CT SCAN 1B-209 PM
05/07/2026 11:30 WPB CT SCAN 1B-209 AM

Sincerely,

/es/ Anupama Nair,ARNP-BC

Dignity[®]
MEMORIAL



OBITUARY

Michelle Dawn Lebejko

JANUARY 2, 1977 - JUNE 8, 2025



IN THE CARE OF

Aycock at Tradition

We are heartbroken to announce the sudden passing of Michelle Dawn Lebejko, "Michelle Dawn Rodowicz", a cherished mother and beloved daughter. Michelle was (48) years old and passed away unexpectedly on June 8th, 2025 in Port St. Lucie, FL. She was born on Jan. 2nd, 1977 in Norwich, CT. Michelle was a devoted mother to her children who were the

love, pride and joy of her life. She always had a desire to help and care for others, and worked as a LPN for many years. Michelle was a vibrant spirit, full of love and laughter.

Michelle is predeceased by her brother, "Francis "Bic" Rodowicz. She is survived by her loving significant other, William Waller; her (3) children, Carter Lebejko, Crosby Lebejko, and Ivy Radwan-Rodowicz. She is also survived by her mother, Cynthia Curran; step-father, Ed Brenton; father, Carter Rodowicz; and step-mother, Nadine Rodowicz, and her aunts, uncles, and cousins.

A memorial service will be held at Aycock Funeral Home at Tradition, Port St. Lucie on June 20th with visitation from 3-5pm and the service at 5pm. There will also be a graveside service held at 11am on June 27th, 2025 at Pachaug Cemetery in Voluntown, CT where she will be laid to rest.

In lieu of flowers, donations can be made to the GoFundMe fundraiser, "Give Michelle's Children a Bright Future" in Michelle Lebejko's memory. Link for GoFundMe is: <https://gofund.me/bee5fc97>. We will forever cherish the memories we shared with Michelle.

Services

FRIDAY, JUNE 20, 2025

Visitation

3:00 pm - 5:00 pm

AYCOCK AT TRADITION



12571 Tradition Parkway
Port St. Lucie, FL 34987



SHARE
SERVICE



RECEIVE
UPDATES

FRIDAY, JUNE 20, 2025

Funeral Service

5:00 pm - 6:00 pm

AYCOCK AT TRADITION



12571 Tradition Parkway
Port St. Lucie, FL 34987



SHARE
SERVICE



RECEIVE
UPDATES

In Memory Of
Michelle Dawn Lebejko



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