No.	2	А	
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IN THE SUPREME COURT OF THE UNITED STATES

MARTIN AKERMAN, PRO SE, APPLICANT

V.

NORTHWESTERN MUTUAL,
RESPONDENT

APPLICATION TO EXTEND THE TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI

TO THE HONORABLE AMY CONEY BARRETT, ASSOCIATE JUSTICE
OF THE SUPREME COURT OF THE UNITED STATES,
AND CIRCUIT JUSTICE FOR THE
UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

MARTIN AKERMAN, PRO SE

2001 North Adams Street, Unit 440

Arlington, VA 22201

makerman.dod@gmail.com

(202) 656-5601

QUESTIONS TO BE PRESENTED

- Whether the denial of in forma pauperis (IFP) status by the district court and the subsequent refusal by the Seventh Circuit Court of Appeals to review the case without payment of an appeal fee violates the First Amendment's Petition Clause and the due process rights of a financially disadvantaged litigant, particularly when the petitioner has provided substantial evidence of indigence and significant legal questions warranting appellate review.
- Whether the denial of a temporary injunction by the Seventh Court of Circuit Appeals, despite evidence of the defendant's actions that jeopardize the applicant's financial stability, including allowing insurance policies to lapse and unauthorized use of assets to service a loan opened in the applicant's name without consent, and despite having a waiver for disability, violates the applicant's contractual rights and poses an imminent threat of irreparable harm to the applicant's financial and personal well-being.

PARTIES TO THE PROCEEDING

- Martin Akerman, the pro se applicant in this matter.
- Northwestern Mutual, a Wisconsin-based private corporation is the respondent in this matter, who was the defendant in the lower courts.

ORDERS BELOW

- Attachment A: The order of the United States Court of Appeals for the Seventh Circuit dated June 18, 2024, denying reconsideration of the denial of IFP status.
- Attachment B: The order of the United States Court of Appeals for the Seventh Circuit dated May 20, 2024, denying Martin Akerman's petition for rehearing en banc on the denial of the injunction and reaffirming the pending status of the IFP.
- Attachment C: The order of the United States Court of Appeals for the Seventh Circuit dated May 15, 2024, denying reconsideration of the injunction and motion to waive filing fees.
- Attachment D: The order of the United States District Court for the Eastern District of Wisconsin dated April 2, 2024, denying Martin Akerman's motion for reconsideration of the IFP status.
- Attachment E: The order of the United States Court of Appeals for the Seventh Circuit dated April 1, 2024, denying Martin Akerman's motion for a preliminary injunction.
- Attachment F: The order of the United States District Court for the Eastern District of Wisconsin dated March 7, 2024, denying Martin Akerman's motion to appeal IFP.
- Attachment G: The order of the United States District Court for the Eastern District of Wisconsin dated February 9, 2024, denying Martin Akerman's initial motion to proceed In Forma Pauperis (IFP).

IN THE SUPREME COURT OF THE UNITED STATES

MARTIN AKERMAN, PRO SE, APPLICANT

V.

NORTHWESTERN MUTUAL, RESPONDENT

APPLICATION TO EXTEND THE TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI

TO THE HONORABLE AMY CONEY BARRETT, ASSOCIATE JUSTICE
OF THE SUPREME COURT OF THE UNITED STATES,
AND CIRCUIT JUSTICE FOR THE
UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Pursuant to Supreme Court Rule 13.5, I, Martin Akerman, appearing Pro Se, respectfully request a 30-day extension of time to file a petition for a writ of certiorari, seeking a new deadline of October 16, 2024. Without this extension, the petition would be due on September 16, 2024. This application is timely, being submitted more than ten days prior to the original due date, in accordance with S. Ct. R. 13.5.

Given the complex nature and significance of the legal issues involved in this case, including the denial of in forma pauperis (IFP) status and the denial of a temporary injunction by the Seventh Circuit, an extension of time is both reasonable and necessary. Harmonizing deadlines across multiple issues, as requested by the applicant, will enable a more thorough and cohesive presentation before the Supreme Court. This extension not only aids the applicant in preparing a comprehensive petition but also supports the Court by providing a consolidated view of the case's progression through various jurisdictions.

Recognizing the applicant's pro se status, this extension aligns with principles of fairness and due process, facilitating a more informed and equitable decision by the Court. Therefore, it is respectfully requested that the Court grants the 30-day extension for filing the petition for a writ of certiorari, setting the new deadline to October 16, 2024, in the interest of justice.

Respectfully Submitted,

Martin Akerman, Pro Se 2001 North Adams Street, Unit 440 Arlington, VA 22201 (202) 656 - 5601 Attachment A: The order of the United States Court of Appeals for the Seventh Circuit dated June 18, 2024, denying reconsideration of the denial of IFP status.

Case: 24-1245 Document: 15 Filed: 06/18/2024 Pages: 1

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse Room 2722 - 219 S. Dearborn Street Chicago, Illinois 60604



Office of the Clerk Phone: (312) 435-5850 www.ca7.uscourts.gov

ORDER

June 18, 2024

Before FRANK H. EASTERBROOK, Circuit Judge JOSHUA P. KOLAR, Circuit Judge

No. 24-1245	MARTIN AKERMAN, Plaintiff - Appellant v. NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY,
	Defendant - Appellee
Originating Case In	formation:
District Court No: 2:	24-cv-00152-BHL
Eastern District of W	fisconsin
District Judge Brett I	ł. Ludwig

Upon consideration of the **MOTION TO WAIVE APPEAL FEE**, filed on March 24, 2024, by the pro se appellant,

IT IS ORDERED that the motion for leave to proceed on appeal in forma pauperis is **DENIED**. The appellant has not made a potentially meritorious argument that the district court erred in denying his motion to proceed in forma pauperis. Appellant shall pay the required docketing fee within 14 days, or else this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b).

form name: c7_Order_3J (form ID: 177)

Attachment B: The order of the United States Court of Appeals for the Seventh Circuit dated May 20, 2024, denying Martin Akerman's petition for rehearing en banc on the denial of the injunction and reaffirming the pending status of the IFP.

Case: 24-1245

Document: 14

Filed: 05/20/2024

Pages: 1

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse Room 2722 - 219 S. Dearborn Street Chicago, Illinois 60604



Office of the Clerk Phone: (312) 435-5850 www.ca7.uscourts.gov

ORDER

May 20, 2024

Before
ILANA DIAMOND ROVNER, Circuit Judge
DAVID F. HAMILTON, Circuit Judge
MICHAEL Y. SCUDDER, Circuit Judge

	MARTIN AKERMAN, Plaintiff - Appellant
No. 24-1245	v.
	NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, Defendant - Appellee
Originating Case In	formation:
District Court No: 2:	24-cv-00152-BHL
Eastern District of W	<i>T</i> isconsin
District Judge Brett H. Ludwig	

Upon consideration of the **PETITION FOR REHEARING EN BANC**, construed as a request for en banc reconsideration of this court's order denying the appellant's motion for an injunction, filed on May 15, 2024, by the pro se appellant,

IT IS ORDERED that the request for en banc reconsideration is **DENIED**. See Seventh Cir. Operating P. 1(a)(2). Appellant Martin Akerman is warned that further requests for reconsideration will be filed without action.

To the extent that Akerman renews his request to waive the appellate filing fees, his motion for leave to proceed in forma pauperis remains pending and will be resolved in a separate order.

Attachment C: The order of the United States Court of Appeals for the Seventh Circuit dated May 15, 2024, denying reconsideration of the injunction and motion to waive filing fees.

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse Room 2722 - 219 S. Dearborn Street Chicago, Illinois 60604



Office of the Clerk Phone: (312) 435-5850 www.ca7.uscourts.gov

ORDER

May 15, 2024

Before
ILANA DIAMOND ROVNER, Circuit Judge
DAVID F. HAMILTON, Circuit Judge
MICHAEL Y. SCUDDER, Circuit Judge

	MARTIN AKERMAN,
	Plaintiff - Appellant
No. 24-1245	v.
	NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, Defendant - Appellee
Originating Case In	formation:
District Court No: 2:24-cv-00152-BHL	
Eastern District of Wisconsin	
District Judge Brett 1	f. Ludwig

Upon consideration of the URGENT REQUEST FOR RECONSIDERATION OF INJUNCTION AND FOR ORDER ON MOTION TO WAIVE FILING FEES, filed on May 9, 2024, by the pro se appellant,

IT IS ORDERED that the motion for reconsideration is DENIED.

Attachment D: The order of the United States District Court for the Eastern District of Wisconsin dated April 2, 2024, denying Martin Akerman's motion for reconsideration of the IFP status.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

MARTIN AKERMAN,

Plaintiff.

Case No. 24-cv-0152-bhl

v.

NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY,

Defendant.

ORDER DENYING MOTION FOR RECONSIDERATION

The Court has twice denied Plaintiff Martin Akerman leave to proceed without payment of the filing fee, or *in forma pauperis* (IFP). First, the Court concluded that Akerman was not indigent based on the sworn statement of assets he signed and filed along with his initial motion to proceed IFP. (See ECF Nos. 2 & 4.) Akerman appealed that denial and asked the Court to grant him leave to pursue his appeal IFP. (ECF Nos. 7 & 12.) In a March 7, 2024 order, the Court denied Akerman leave to appeal IFP, certifying that his appeal was not taken in good faith. (ECF No. 13.) The Court so concluded because (1) Akerman had provided no convincing evidence contrary to the Court's finding that he was not indigent based on the assets he listed, under penalty of perjury, in his initial IFP motion; and (2) Akerman declared assets in his second IFP motion that varied significantly from the first, despite the motions being dated only four weeks apart. (*Id.*) Undaunted, Akerman filed another motion asking the Court to reconsider its denial of his motion for leave to appeal IFP. (ECF No. 14.) Because Akerman has provided no adequate grounds for reconsideration, his latest motion will also be denied.

"Motions for reconsideration serve a limited function; to correct manifest errors of law or fact or to present newly discovered evidence." *Rothwell Cotton Co. v. Rosenthal & Co.*, 827 F.2d 246, 251 (7th Cir. 1987) (quoting *Keene Corp. v. Int'l Fid. Ins. Co.*, 561 F. Supp. 656, 665 (N.D. Ill. 1982), *aff'd*, 736 F.2d 388 (7th Cir. 1984)). Akerman's motion does not aim to establish any of these limited grounds for reconsideration. Instead, he focuses on public policy arguments that

are inapplicable to a motion for reconsideration and asks the Court to reconsider its decision without identifying any additional facts or new legal authority that might support his request.

Akerman argues that the Court's "[d]enial of IFP status effectively precludes [him] from pursuing an appeal, thereby denying him the opportunity to seek justice through the appellate process." (ECF No. 14 at 3.) This assertion is incorrect, irrespective of Akerman's indigency. Rule 24(a)(5) of the Federal Rules of Appellate Procedure explicitly authorizes Akerman to file a motion to appeal IFP with the Seventh Circuit within 30 days following this Court's March 7, 2024 denial of his motion. Moreover, if the case were dismissed for failure to pay the filing fee, Akerman would be free to appeal that dismissal order and raise any issues he has with the Court's denial of his IFP motion.

Accordingly,

IT IS HEREBY ORDERED that Martin Akerman's Motion for Reconsideration, ECF No. 14, is **DENIED**.

Dated at Milwaukee, Wisconsin on April 2, 2024.

s/ Brett H. Ludwig
BRETT H. LUDWIG
United States District Judge

Attachment E: The order of the United States Court of Appeals for the Seventh Circuit dated April 1, 2024, denying Martin Akerman's motion for a preliminary injunction.

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse Room 2722 - 219 S. Dearborn Street Chicago, Illinois 60604



Office of the Clerk Phone: (312) 435-5850 www.ca7.uscourts.gov

ORDER

April 1, 2024

Before

ILANA DIAMOND ROVNER, Circuit Judge DAVID F. HAMILTON, Circuit Judge MICHAEL Y. SCUDDER, Circuit Judge

	MARTIN AKERMAN,
	Plaintiff - Appellant
No. 24-1245	v.
	NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, Defendant - Appellee
Originating Case In	formation:
District Court No: 2:	24-cv-00152-BHL
Eastern District of W	isconsin
District Judge Brett I	ł. Ludwig

Upon consideration of the **MOTION FOR TEMPORARY INJUNCTION**, filed on March 25, 2024, by the pro se appellant,

IT IS ORDERED that the motion for a preliminary injunction is DENIED.

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Attachment F: The order of the United States District Court for the Eastern District of Wisconsin dated March 7, 2024, denying Martin Akerman's motion to appeal IFP.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

MARTIN AKERMAN,

Plaintiff,

Case No. 24-cv-0152-bhl

V.

NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY,

Defendant.

ORDER DENYING MOTION TO APPEAL IN FORMA PAUPERIS

On February 5, 2024, Martin Akerman, proceeding *pro se*, filed a complaint against Northwestern Mutual Life Insurance Company (Northwestern Mutual) alleging breach of his life insurance policy. (ECF No. 1.) That same day, he also filed a motion for leave to proceed without prepayment of the filing fee or *in forma pauperis* (IFP). (ECF No. 2.) The Court screened the complaint on February 9, 2024, and concluded Akerman was not indigent based on the sworn statement of assets he signed and filed along with his request. (ECF No. 4.) Accordingly, the Court ordered him to pay the full \$405 civil filing fee within 21 days. (*Id.*) Akerman responded by first filing a letter with the Clerk of Court requesting, among other things, reconsideration of his IFP request. (ECF No. 5.) He then filed a notice of appeal of the IFP denial on February 16, 2024. (ECF No. 7.) On February 21, 2024, Akerman filed another letter with the Clerk, this time attaching a document purporting to be a motion for leave to proceed IFP in an unrelated case in front of the United States Supreme Court and showing that he has been granted IFP status in several other state and federal courts. (ECF Nos. 11 & 11-1.) Then, on March 4, 2024, Akerman filed a motion for leave to appeal IFP. (ECF No. 12.)

The Court may allow a litigant to appeal IFP if the litigant establishes his indigency and his appeal is taken in good faith. Under 28 U.S.C. § 1915(a)(3), a litigant may not appeal IFP if the district court "certifies in writing that [the appeal] is not taken in good faith." "[T]o determine that an appeal is in good faith, a court need only find that a reasonable person could suppose that the appeal has some merit." *Walker v. O'Brien*, 216 F.3d 626, 632 (7th Cir. 2000).

The Court will deny Akerman's motion to appeal IFP because it finds that his appeal is not taken in good faith. In his original IFP motion Akerman declared, under penalty of perjury, that his assets included \$5,000 in cash, checking, savings, or similar accounts, a 2017 BMW X3 worth approximately \$14,000, and \$120,000 in retirement accounts. (ECF No. 2) While Akerman listed no income and monthly expenses totaling \$4,360, the Court determined that Akerman's considerable assets precluded a finding of indigence. (ECF No. 4.) Based on Akerman's sworn statement, he is not indigent and able to pay the filing fee, as this Court found in denying his motion.

Akerman offers new and conflicting reports concerning his financial condition to support his request to proceed IFP on appeal Although only four weeks have passed since his prior declaration, Akerman now reports having less money in his checking account (only \$2,000) and a 10% diminution in the value (from \$14,000 to \$12,500) of his BMW, which he now claims is subject to a previously undisclosed \$10,000 loan. (ECF No. 12 at 3; ECF No. 12-1 at 5.) He also adds a "10-year-old motorcycle worth approximately \$2,500" not mentioned in his original IFP motion. (ECF No. 12-1 at 5.) Notably absent from his new listing of assets are his retirement accounts, which he previously reported as being worth \$120,000.

The Court is troubled by the discrepancies between Akerman's two IFP motions. Akerman's declared assets have varied significantly between the motions, despite being dated only four weeks apart. While some changes to his financial situation are plausible, the number of differences and his sudden omission of his substantial retirement account holdings (worth \$120,000) are troubling. While the Court will refrain from finding that these discrepancies are "intentional misrepresentations" warranting immediate dismissal of his complaint with prejudice, see Mathis v. N.Y. Life Ins. Co., 133 F.3d 546, 547 (7th Cir. 1998), they undercut any suggestion that Akerman's appeal is taken in good faith.

Akerman also includes documentation showing that he has been granted IFP status in unrelated matters in other courts. But, even if true, he has not shown what his financial situation was at the time of those orders. Nor has he indicated what he reported his financial situation to be to those Courts. Given the different statements provided this Court, these prior orders do not change the Court's analysis.

Akerman's initial IFP motion was denied because he listed, under penalty of perjury, assets sufficient to facilitate payment of the filing fee. That determination remains appropriate, and he

has not provided any convincing evidence to the contrary. Accordingly, the Court will certify that his appeal is not taken in good faith.

Accordingly,

IT IS HEREBY ORDERED that Akerman's motion for leave to appeal without prepayment of the filing fee, ECF No. 12, is **DENIED**.

Dated at Milwaukee, Wisconsin on March 7, 2024.

s/ Brett H. Ludwig
BRETT H. LUDWIG
United States District Judge

Attachment G: The order of the United States District Court for the Eastern District of Wisconsin dated February 9, 2024, denying Martin Akerman's initial motion to proceed In Forma Pauperis (IFP).

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

MARTIN AKERMAN,

Plaintiff,

Case No. 24-cv-0152-bhl

٧.

NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY,

Defendant.

SCREENING ORDER

On February 5, 2024, Martin Akerman, proceeding *pro se*, filed a complaint against Northwestern Mutual Life Insurance Company (Northwestern Mutual) alleging breach of his life insurance policy. (ECF No. 1.) That same day, he also filed a motion for leave to proceed without prepayment of the filing fee or *in forma pauperis* (IFP). (ECF No. 2.) The Court has authority to allow a litigant to proceed IFP if it determines that (1) the litigant is unable to pay the costs of commencing the action and (2) the action is not frivolous, does not fail to state a claim, and is not brought against an immune defendant. *Cf.* 28 U.S.C. § 1915(a)(1), (e)(2). The Court will consider each of these issues in turn.

THE MOVANT'S INDIGENCY

Akerman reports that he is unmarried and unemployed, with no income in the last twelve months. (ECF No. 2 at 1–2.) He reports monthly expenses totaling \$4360, including \$1110 in child-support for his minor daughter. (*Id.*) For assets, he lists \$5000 in cash or accounts, a 2017 BMW X3 worth approximately \$14,000, and \$120,000 in retirement accounts. (*Id.* at 3–4.) Akerman also indicates he is on Medicaid and awaiting Social Security Disability Insurance (SSDI). He further claims he has student loans (but doesn't list a monthly loan payment) and that he is "close to not being able to pay child support." (*Id.* at 4.)

On these facts, the Court cannot find Akerman indigent. While the Court is sympathetic to his lack of income, Akerman lists assets that are sufficient to facilitate payment of the \$405 civil filing fee, including liquid assets of \$5000. While a plaintiff need not show that he is totally

destitute to establish indigence, Zaun v. Dobbin, 628 F.2d 990, 992 (7th Cir. 1980), the Court's authority to grant IFP motions "is reserved to the many truly impoverished litigants who . . . would remain without legal remedy if such privilege were not afforded to them." Brewster v. N. Am. Van Lines, Inc., 461 F.2d 649, 651 (7th Cir. 1972). Akerman's assets preclude his inclusion in that group of litigants. He is in significantly better financial condition than many if not most litigants in this Court.

SCREENING THE COMPLAINT

In screening a *pro se* complaint, the Court applies the liberal pleading standards embraced by the Federal Rules of Civil Procedure. To survive screening, the complaint must comply with the Federal Rules and state at least plausible claims for which relief may be granted. To state a cognizable claim, a plaintiff is required to provide a "short and plain statement of the claim showing that [he] is entitled to relief." Fed. R. Civ. P. 8(a)(2). It must be at least sufficient to provide notice to each defendant of what he or she is accused of doing, as well as when and where the alleged actions or inactions occurred, and the nature and extent of any damage or injury the actions or inactions caused.

"The pleading standard Rule 8 announces does not require 'detailed factual allegations,' but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation." Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)). "The tenet that a court must accept as true all of the allegations contained in a complaint is inapplicable to legal conclusions. Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." Id. A complaint must contain sufficient factual matter, accepted as true, to "state a claim to relief that is plausible on its face." Twombly, 550 U.S. at 570. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." Id. at 556. "[T]he complaint's allegations must be enough to raise a right to relief above the speculative level." Id. at 555 (internal quotations omitted). If the complaint fails to allege sufficient facts to state a claim on which relief may be granted, it must be dismissed. See Luevano v. Wal-Mart Stores, Inc., 722 F.3d 1014, 1018 (7th Cir. 2013).

ALLEGATIONS OF THE COMPLAINT

Akerman alleges that he has held a life insurance policy with Northwestern Mutual since 2010. (ECF No. 1 at 2.) Though he does not provide a copy of the policy, Akerman alleges that

it includes a disability waiver for premium payments. (*See id.*) He alleges that, since October 5, 2022, Northwestern Mutual has denied his waiver claim for Post-Traumatic Stress Disorder (PTSD) in violation of the policy's terms. (*Id.*) He attaches two billing statements showing he owed a total of \$436.63 on November 17, 2023, for "Level Term 20" and "65 Life" plans. (ECF No. 1-1.)

Akerman requests that the Court enforce the disability waiver provision of his life insurance policy and enjoin Northwestern Mutual from terminating the policy or otherwise breaching its terms. (ECF No. 1 at 2, 4.) He also requests reimbursement for premiums paid since the October 5, 2022 onset of his disability and compensation for "financial and emotional distress caused." (*Id.* at 4.) Akerman asserts that the Court has diversity jurisdiction over his state law claims. (*See id.*). He alleges that he is a citizen of Virginia and Northwestern Mutual a citizen of Wisconsin. (*Id.* at 1–2.) He also alleges that \$350,000 is at stake in this case, not counting interest and costs. (*Id.* at 4.)

ANALYSIS

As an initial matter, the Court must verify that it has subject-matter jurisdiction over this case. Congress vested federal district courts with diversity jurisdiction over civil actions where there is complete diversity of citizenship and the amount in controversy exceeds \$75,000. 28 U.S.C. § 1332. Akerman alleges that he is a citizen of Virginia and Northwestern Mutual a citizen of Wisconsin, satisfying the diversity requirement. He further alleges that \$350,000 is at stake in this case. While the Court is unclear on how Akerman arrives at the figure he claims is in dispute, it cannot say "to a legal certainty" that Akerman cannot recover more than \$75,000. See Sykes v. Cook Inc., 72 F.4th 195, 205 (7th Cir. 2023) (quoting St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 289 (1938)). That is enough to establish the Court's diversity jurisdiction over this case, at least at the screening stage.

Moving on to the substance of his complaint, Akerman's allegations against Northwestern Mutual plausibly state a claim for breach of contract. He alleges that Northwestern Mutual breached a contract for life insurance with him by refusing to "honor the disability waiver" contained in the contract and denying him a waiver of his premium payments following his development of PTSD. (ECF No. 1 at 2.) That is a "short and plain statement of the claim" sufficient to survive screening. *See Twombly*, 550 U.S. at 570.

Accordingly,

IT IS HEREBY ORDERED that Akerman's motion for leave to proceed without prepayment of the filing fee, ECF No. 2, is **DENIED**. Akerman is ordered to pay the full filing fee within 21 days of the date of this order, or this case will be dismissed.

Dated at Milwaukee, Wisconsin on February 9, 2024.

s/ Brett H. Ludwig BRETT H. LUDWIG United States District Judge

IN THE SUPREME COURT OF THE UNITED STATES

No. 24A

MARTIN AKERMAN, PRO SE, APPLICANT

V.

NORTHWESTERN MUTUAL, RESPONDENTS

PROOF OF SERVICE

It is hereby certified that on June 26, 2024 an original and three copies of the APPLICATION TO EXTEND THE TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI were delivered to the Supreme Court of the United States by hand. Additionally, copies were served on June 26, 2024, by first class mail, to Respondent:

Northwestern Mutual
720 East Wisconsin Avenue
Milwaukee, WI 53202

Respectfully Submitted,

Markin Akerman, Pro Se

2001 North Adams Street, Unit 440

Arlington, VA 22201

(202) 656 - 5601

RECEIVED
JUL - 9 2024

OFFICE OF THE CLERK SUPREME COURT, U.S.