

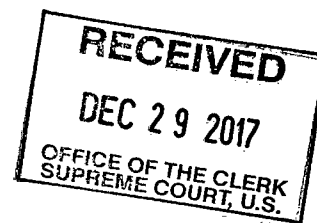
No. _____

In The
Supreme Court of the United States

Duncan K. Robertson
v.
GMAC Mortgage, LLC,

Case below No. 14-35672 (9th Cir. 08/21/2017)
(Appeal of No. 2-12-cv-02017-MJP (WD Wash.))

Attn: Justice Anthony Kennedy
Justice Assigned to the 9th Circuit



Request for Additional Extension of Time To File Petition for Writ of Certiorari

Duncan K. Robertson, Appellant
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CORPORATE DISCLOSURE STATEMENT:

I, Duncan K. Robertson, am an individual appellant. I am a citizen of the state of Oregon.

Respondents include debtors in Chapter 11 bankruptcy proceedings.¹ These bankruptcy defendants include originally named defendants to the action GMAC Mortgage, LLC; Executive Trustee Services, LLC; Residential Funding Real Estate Holdings, LLC; Residential Funding Company, LLC (RFC-LLC); Residential Funding Corporation; Homecomings Financial, LLC. GMAC Defendants filed a corporate disclosure on January 30, 2015 stating “each of the defendants’ current status is or may be in a state of flux.” But, that as of that date all defendants were ultimately “wholly-owned subsidiary[s] of Ally Financial Inc., a Delaware corporation....Ally Financial, Inc. is not publicly held. No publicly-held corporation owns more than 10% of the common stock of Ally Financial, Inc..” No. 2-12-cv-02017-MJP (WD Wash.),² Dkt. 56.

Other respondents include LSI Title Agency, Inc. (LSI) which has alleged different disclosure statements at different times throughout this litigation³; JP Morgan Chase Bank, N.A. (Chase) is a wholly-owned subsidiary of JPMorgan Chase & Co. JPMorgan Chase & Co. is a publicly held corporation, and no publicly held corporation owns more than ten percent of its

¹ *In Re Residential Capital, LLC*, No. 12-12020 (S.D. NY).

² (citations to documents of the district court are hereafter designated as “DC Dkt. ____”).

³ LSI’s Corporate Disclosure to the district court stated, “LSI’s parent corporation is LSI Title Company, a California corporation.” DC Dkt. 10. LSI’s Corporate Disclosure to the 9th Circuit states, “LSI Title Agency, Inc., now known as ServiceLink Title Agency, Inc., is wholly owned by ServiceLink Title Company, formerly known as LSI Title Company.” 9Doc. 124-1. At the Evidentiary Hearing Robertson submitted Certification by the California Secretary of State that “there is no record of a California or foreign corporation, active or inactive, of the name: LSI TITLE COMPANY.” DC Dkt 267-13. Robertson also submitted at that Hearing Certification by the California Secretary of State that “there is no record of a California or foreign corporation, active or inactive, of the name: LSI TITLE AGENCY, INC.” DC Dkt. 267-12. The actual corporate structure and full citizenship of LSI thus remain unknown.

stock. Bank One National Association, was merged into Chase in 2004 and ceased to exist at that time. Bank of New York Trust Company N.A., was a nationally chartered trust company restructured and renamed in 2006 as Bank of New York Mellon Trust Company, N.A. First American Title Insurance Company, a California corporation whose parent corporation is First American Financial Corporation [NYSE: FAF] .

STATEMENT OF PURPOSE:

I filed a previous timely request for a 60 day extension in which to file petition for Certiorari, Application No. 17A532, citing extraordinary circumstances including, in part, medical issues and loss of counsel through complete depletion of financial resources. Original due date for the Petition for Certiorari was November 20, 2017 based upon 9th Circuit's Order dated August 21, 2017 (9th Cir. Doc. No. 152).

On November 14, 2017 the Court issued partial relief (but not the 60 days requested - to extend the deadline to January 18, 2018), in the form of an extension until January 3, 2018, signed by Scott S. Harris, Clerk.

Due to extreme circumstances beyond my control I am thus requesting a further extension, at minimum to the previously requested 60 day extension, to file the Petition for Certiorari, setting the deadline for filing as January 18, 2018.

JURISDICTION

This Court has jurisdiction under 28 U.S.C. §1254(1).

NATURE OF CASE AND RULINGS BELOW

A summary of the Nature of the Case and Rulings Below are provided in the previous Application No. 17A532, at **2-12, and Attachments, which *see*. The primary issue to be

presented as reason for granting certiorari is the serious split between circuits as to what is required of defendants in a case to show consent to a removal to federal court under 28 U.S.C. § 1446(b)(2)(A), including after such consent is challenged. Collateral issues are also presented in my Application No. 17A532 (which *see*).

REASONS THE EXTENSION OF TIME TO FILE SHOULD BE GRANTED

Robertson Health Problems Exacerbated:

My personal health problems emerging from this case, including having to address two different court systems over actions relating to the same *res* simultaneously, were described in part in my previous Application No. 17A532. While I do appreciate the Court's graciousness in issuing the partial relief for filing deadline to January 3, 2018, much has occurred since it was granted.

On December 18, 2017 I had yet another apparent TIA (mini-stroke) episode which put me in the Kaiser Emergency. Findings showed no damage but revealed a potential clotting site in my right carotid artery. Plavix was added to my drug regimen, together with directions to back off insofar as I am able.

On December 23, 2017 I underwent one more 8-hour marathon with Kaiser Emergency for uncontrolled infections in my right leg. I was given intravenous antibiotics and a regimen of oral meds for relief. My personal physician, Dr. Daren Young of Kaiser Permanente, has consented to write an additional letter (see his previous, Attachment 1 to Application No. 17A532) requesting again maximum extension of time to file due to medical reasons. However, whereas my latest emergency room episode occurred on December 23-24, 2017 and with Christmas intervening, it will not likely be available to supply to the Court until later this week.

It will be both mailed to the Court/parties and filed electronically by Mr. Stafne the moment it is received.

Change of Attorney Representation

I commenced pro se the preparation of the Petition for Certiorari, however due to my serious health issues arising, my former attorney, Scott Stafne, who I previously released, has graciously consented to prepare the Petition on a pay-later basis. Mr. Stafne is filing a Notice of Appearance simultaneous to the mailing of this Request (and attaching a copy) Thus, change of attorney representation mid-stream is also a factor for granting additional extension.

Two Different Supreme Court filings Simultaneously is Extremely Taxing.

Another factor is that I am also compelled to file, pro se, an appeal to the Washington State Supreme Court in my simultaneous state version of this case (same res issues) which is due January 10, 2018. I am also requesting an extension of time to file with that court for the same reasons; two at the same time is simply a killer. A portion of that case is being remanded to King County Superior Court for evidence that the documents submitted by that case's plaintiff, 21st Mortgage Corporation, have been shown to be forgeries.

CONCLUSION:

For the foregoing reasons it is respectfully requested that this Court grant additional time to file the Petition for Certiorari - from the current deadline date of January 3, 2018, to at minimum January 18, 2018 - the originally requested extension date, and whatever additional relief the Court may be inclined to provide.

Thank you for your consideration

Respectfully Submitted this 26th Day of December, 2017 by



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As of today being represented by:

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