

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JOSEPHAT MUA,

Petitioner-Applicant

v.

BOARD OF EDUCATION OF PRINCE GEORGE'S COUNTY/PRINCE
GEORGE'S COUNTY PUBLIC SCHOOLS;

Respondent

APPLICATION FOR AN EXTENSION OF TIME
WITHIN WHICH TO FILE A PETITION FOR WRIT OF CERTIORARI

To the Honorable John G. Roberts, Jr., as the Chief Justice and the Circuit Justice for the United States Court of Appeals for the District of Maryland circuit:

Petitioner Josephat Mua respectfully request that the time to file a Petition for Writ of Certiorari in this matter be extended for sixty (60) days. The United States Court of Appeals for Fourth Circuit issued its opinion and Order on February 26, 2018 (See App. 1, *infra*) and (App. 2, *infra*) and on March 13th, 2018, the court issued Stay of Mandate under Fed. R. App. P.41 (d) (1). (App. 3, *infra*). On March 27th, 2018, the United States Court of Appeals for Fourth Circuit issued an order and denied the motion for reconsideration (See App. 4, *infra*) in which it denied a petition for rehearing *en banc*. On April 4th, 2018, the U. S Court of Appeals for Fourth Circuit the court issued Stay of Mandate under Fed. R. App. P.41 (d) (1). (See App. 5, *infra*). On April 4th, 2018, the U. S Court of Appeals for Fourth Circuit denied the Motion to stay mandate. (See App. 6, *infra*). The mandate in the U.S

Court of Appeals for Fourth Circuit was entered the record on April 12th, 2018. (See App. 7, *infra*). Absent an extension of time, the Petition would therefore be due on July 10th, 2018. Petitioner Mr. Mua is filing this Application at least ten (10) days before that date. See S.Ct. R. 13.5. This Court would have jurisdiction over the judgment under 28 U.S.C § 1254 (1).

Petitioners Mr. Mua has determined that this is a case important enough, both personally and professionally, that it warrants a petition for certiorari. Indeed, there are important questions which were determined adversely by the courts below. The case presents important issues regarding the parameters of the absolute immunity defense for public officials, Law firms, labor unions, insurance company and elected officials in Prince George's County, Maryland involved in public corruption. Additional time is needed because the undersigned has been sick requires sufficient time to prepare and organize the record and familiarize himself with the case law in this area and to draft, file, and have printed a petition for certiorari.

REASONS FOR GRANTING AN EXTENSION OF TIME

The time to file a Petition for a Writ of Certiorari should be extended for sixty (60) days for these reasons:

- 1.) Petitioners Mr. Mua has several conflicts with deadlines with cases currently pending on appeal in the lower courts as shown by the following cases. Appellant Mr. Mua has 1 case currently pending in the Washington DC Court of Appeals and 1 case pending in the U.S District Court. (See Appeal No. 18-DA-1 *Josephat Mua v. The O'Neal Law Firm, LLP and Josephat Mua v. Board of Education of PG Co.. 8:11-cv-01198*) Other appeals cases are currently pending before this case. (See Applications tied to the following cases from the U.S Court of Appeals for Fourth Circuit:

Josephat Mua v. The Attorney General, Maryland; Appeal No. 17-2029
Josephat Mua v. Board of Education of PG Co, Appeal No. 17-2027
Josephat Mua v. Board of Education of PG Co., Appeal No. 17-2025
Josephat Mua v. The O'Neal Law Firm, LLP). The current schedule therefore causes a major scheduling conflicts with the dateline given by this honorable court as Petitioner will not have enough time to assemble his briefs in this case due to time management issues.

- 2.) Petitioner Mr. Mua has other conflicts with deadlines with cases currently pending on appeal in the Maryland court of Appeals.
- 3.) Petitioner Mr. Mua has another filing due in the Washington DC Superior Court Case No. 2013-SC3-004261 which pending on Appeal in the Washing DC Court of Appeals. These events conflicts with issues currently going on in this court.
- 4.) This case presents extraordinarily important issues warranting a carefully prepared Petition. The decision marks the first time in the Nation's history that any appellate court has ignored major violations of Title VII interconnected with other major violations connected with the Union lack of fair representation *inter alia*. The issues involve fundamental questions of how the Title VII should be interpreted and applied to the Maryland District's longstanding legislative judgment on how best to protect Maryland citizens from title VII violations.
- 5.) There is at minimum a substantial prospect that this Court will grant certiorari and, indeed, a substantial prospect of reversal. In addition to involving extraordinarily important issues, the decision of the U.S Court of Appeals for Fourth Circuit is in admitted conflict with the majority of other federal Courts of Appeals and with many State courts of last resort.

- 6.) Petitioner Mr. Mua has been in the process of searching for a pro bono outside counsel with Supreme Court expertise to assist in this case who will assist to prepare the briefs. Additional time is necessary and warranted for that counsel, *inter alia*, to become familiar with the record below, relevant legal precedents and historical materials, and the issues involved in this matter. Due to financial constrained, Appellant is currently fundraising from supporters in order to defray the cost of the briefs and assistance of counsel.
- 7.) No meaningful prejudice would arise from the extension, as this Court would have a chance to review the decision of the courts below which are currently pending in the Courts below.
- 8.) Additionally, Petitioner Mr. Mua is currently in settlement discussion and working with the Government agency involved in this case to settle the grievances which are serious in nature. The court should give an extended time for these discussions to occur. This way, if the cases are settled, there will be no need for appeals and the need to file the Petitions for certiorari in this court.

Finally, it would be extremely difficult for the undersigned to accomplish that task within the next several days or weeks and file a petition given the many issues currently in progress at the same time coupled with other professional obligations and other cases before this court. The undersigned has sent emails to the Respondent counsels in the past, requesting them to consent to the request for an extension of time within which to file a petition for certiorari and other matters in the other courts and in this court. They have opposed everything in many aspects every time.

WHEREFORE, Petitioner Mr. Mua ask the court to grant Petitioner Josephat Mua an additional 60 days, to and including September 10th, 2018, within which to file a petition for certiorari.

Respectfully submitted,

/s/ Josephat Mua

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Refer to Supreme Court Rules 13.5 and Rule 30.