

No.

IN THE

Supreme Court of the United States

SEUNGJIN KIM,

Petitioner

v.

PRESIDENT OF THE UNITED STATES, ET AL.

Respondent

**APPLICATION TO EXTEND THE TIME TO FILE A PETITION FOR
A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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

COMES NOW the Petitioner, Seungjin Kim, and pursuant to the Supreme Court Rule 30, here by makes this Application to Extend the Time to File a Petition for a Writ of Certiorari. See 28 U.S.C. §1254(1) or 28 U.S.C. §1257(a).

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

The Petitioner, Seungjin Kim respectfully requests a 60-day extension of time to file its petition for writ of certiorari. This request, if granted would extend the deadline from March 6, 2018 to May 4, 2018. The District of Columbia Circuit be granted the motion for leave to file the petition out of time on December 7, 2017 and the petition be denied on December 7, 2017. Therefore, Petitioner has 90 days from December 7, 2017 to file a petition for certiorari in the United States Supreme Court.

DESCRIPTION OF THE NATURE OF THE CASE:

QUESTIONS PRESENTED:

Under 8 U.S.C. §1225(b), inadmissible aliens who arrive at our Nation's borders must be detained, without a bond hearing, during proceedings to remove them from the country. In accordance with 8 U.S.C. §1158, Petitioner who is a [non]immigrant victim of Qualifying Criminal Activity involving U.S. citizens has applied Asylum and his Asylum application was still pending, he arrived at a U.S. Nation's border, and he also must be detained, without an imminent bond hearing. The questions presented are:

1. Whether under 8 U.S.C. §1225(b), inadmissible aliens include [non]immigrant victims who are not an applicant for, or is not granted, [non]immigrant status under 8 U.S. Code §1101(a)(15)(U) of Qualifying Criminal Activity involving U.S. citizens, and have some U.S. Constitutional rights and Victim Impact Statement Right verbally under the due process clause, their prolonged detention, or confinement is unlawful [in part], or unconstitutionality [in part] if USCIS deny issue a U-Nonimmigrant Visa and a Travel Document and the United States Attorney General also deny Witness Protection without rational basis under 18 U.S. Code §3521?

2. Whether under 8 U.S.C. §1225(b), inadmissible aliens who are victims of Qualifying Criminal Activity involving U.S. citizens must be detained, without an imminent bond hearing when he/she is in the U.S. Supreme Court within the 90-day appeal period?

3. Whether 'A substantial risk that physical force against the person or property of another may be used in the course of committing the offense', 18 U.S.C. §16(b) includes "[invisible] potential or underlying murder crimes and criminals."?

The Petitioner, Seungjin Kim requests this extension of time for the following reasons:

BACKGROUND

The most important fundamental matter of the United States Federal Court for the District of Columbia is that Judges did not discern yet Petitioner as a real Immigrant Victim of an International Conspiracy to Murder Crime. But the Court has discerned Petitioner as a real Indigent Person. So, the Court has granted Petitioner's application to proceed *in forma pauperis*, See *Seungjin Kim v. Supreme Court of the United States*, *Seungjin Kim v. President of the United States, Et Al*, and *Seungjin Kim v. United States Customs and Border Protection*. Therefore, the Court must discern him as a real Immigrant Victim of an International Conspiracy to Murder Crime.

Underlying two special homosexual rapist murderers who are Korea citizens and concealers who are U.S. citizens still many times **Attempts** to kill Petitioner. (Acts 21:4b; 8 U.S.C §1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118; **Mens Rea**) The underlying murderers have the capacity to develop the **Specific Intent**. Because they have an overriding objective in this case, and that's to avoid the opprobrium that comes with admitting that they killed innocent one spiritually. They did commit the **Actus Reas**.

A SPECIFIC STATEMENT OF THE TIME EXIGENCIES INVOLVED

A real Immigrant Victim of an International Conspiracy to Murder Crime, Petitioner, *Seungjin Kim* really need enough time to appeal. Because Supreme Court of the United States held that Rule 4(a)(5)(C), not § 2107, limits the length of the extension granted here, the time prescription is not jurisdictional. (16-658, *Hamer v. Neighborhood Housing Services of Chicago, Et Al.*)

ARTICULATION OF THE REASONS TO EXTEND TIME

1. Another reason is that Petitioner has received an email **on November 27, 2017** from USCIS Office in U.S. Embassy in South Korea. And the office informed Petitioner that "Please let us know if you receive a notice from a domestic USCIS office requesting biometrics collection and we will schedule a biometrics appointment at our office." Finally, Petitioner has received I-918 Overseas notice on December 11, 2017 from a domestic USCIS office requesting biometrics collection for Petition for U Nonimmigrant Status not for a Travel Document. And Petitioner has scheduled himself on December 12, 2017, 01:00 PM. As the Court know, U Nonimmigration Visa is for Victims of Qualifying Criminal Activity. The notice instructed Petitioner that FBI regulations require that the requested evidence be submitted within 12 weeks. And all documentation requested should be submitted together. Therefore, Petitioner needs to enough time to submit the documents and evidences and issuing U-Nonimmigration Status is may be needs to enough time.

2. Another reason is that Petitioner's another civil case, *Seungjin Kim v. United States Customs and Border Protection* is ordered **on December 1, 2017** by the Court of Appeals. So Petitioner must prepare a Brief and **must find a lawyer competent to help Petitioner in the matter**. If the Petitioner could not find a competent lawyer, then Petitioner deservedly writes a Petition himself. The petition is regarding the most important fundamental right of Victim Impact Statement verbally as a Miranda Rule. Therefore, Petitioner needs to enough time to appeal.

3. Another reason is that the Supreme Court receives some 8,000 such petitions each year, and agrees to actually hear the case in about 70 of them. So mathematical probability is 0.001% of the granting cases. If the Supreme Court denied Petitioner's petition, then the Federal Courts did not relief anything and nothing for a victim of a violent crime. Then, this is a very shocking. Because Federal Courts exist for victims of violent crimes. So, Petitioner disappointed that several District Court Judges seriously misjudged Petitioner's civil cases because of Petitioner's tardy informing and limited English skills. But Judge Amy Berman Jackson prudently wrote something for Petitioner for the future. *See Seungjin Kim v. Apple, Inc., Seugjin Kim v. Google, Inc., Seungjin Kim v. Watch Tower Bible and Tract Society of Pennsylvania.*

4. Another reason is that so, Petitioner have applied for Asylum in the United States for physical hardships and religious opposition because Petitioner have suffered and received some religious persecution. Even if wicked ones tried to kill Petitioner but failed it. So, Petitioner does not want to live in South Korea. Because underlying murderers who are special homosexual rapist murderers will attempt to kill Petitioner in a very special way. (Acts 21:4b) Therefore, Petitioner often feel a groundless fear, horror and disillusion. France Government allows grant to asylum who are suffered persecution of conscientious objection. Petitioner is a conscientious objector. But Petitioner does not want to live in France. Petitioner want to live in the United States. Because Petitioner loves America and Americans sincerely. Because United States is a nation founded for religious freedom, and a good nation that guarantees religious freedom as much as possible. So, Petitioner offered a lot of important information to the U.S. Government and some high-officials who are U.S. citizens. Therefore, if the prudent Justices of the Supreme Court of the United States grant Petitioner's Application to Extend the Time to File a Petition for a Writ of Certiorari, then Petitioner would be very appreciated it.

5. **Illness:** Petitioner is illness mentally sometimes. His brain is sick. So, Petitioner was custody in mental hospital by his mother force when his civil case was pending. Because she does not and cannot know that Petitioner is a victim of a murder crime. This is due to two criminals' vicious criminal activity in a special way. (Acts 21:4b.) Consequently, Petitioner long time has accusing underlying murderers to the Korea Police and Seoul Prosecutor' Offices to punish because they still have had wicked intention to kill Petitioner until their death. The vicious murder crime is investigated a little. But unfortunately, wicked ones or bad ones not be punished because of lack of proof and evidence. Anyway, Petitioner is needed to comfort.

6. **Lacking or Limited English Skills:** Petitioner is not a Native Speaker. Petitioner's English skill is very limited as Justices can discern. When Petitioner reads a notice letter from the Supreme Court, then it requires several months to understand of its real meaning. Because Petitioner is not a lawyer. But Petitioner is always studying U.S. Laws and civil procedures to be a lawyer. Moreover, Petitioner need to time to translate his legal documents into English, in person. And Petitioner have purchased many books and reading it now. The books are Board of Immigration Appeals Practice Manual, Immigration Court Practice Manual, Law Enforcement Intelligence: A Guide for State, Local and Tribal Law enforcement Agencies, Federal Bureau of Prisons Contact Directory: Contact Information for Facilities Nationwide, Welcome to the United States: A Guide for New Immigrants, Inmate Religious Beliefs and Practices – Technical Reference, Federal Courts & What they do, First Response to Victims of Crime, Attorney General Guidelines for Victim and Witness Assistance, The Attorney General's Guidelines for Domestic FBI Operations, Vision 21 Transforming Victim Services, Victim Impact: Listen and Learn Participant Workbook, Legal Resource Guide to the Federal Bureau of Prisons 2014, The Law of Arrest, Search, and Seizure for immigration officers, Code of Federal Regulations, Title 08 Aliens and Nationality, Revised 2017, Immigration Judges and U.S. Asylum Police, How Judges Think (Prims – Polity Immigration

and Society Series), Asylum, variation exists in outcomes of applications across immigration courts and judges: report to congressional committees, Internal Revenue Code: Income, Estate, Gift, Employment and Excise Taxes (Winter 2017 Edition), Federal Rules of Appellate Procedure; 2017 Edition, Federal Rules of Criminal Procedure; 2017 Edition, Federal Rules of Bankruptcy Procedure; 2017 Edition, United States Bankruptcy Code; 2017 Edition, Federal Rules of Evidence; 2017 Edition, Federal Rules of Civil Procedure; 2017 Edition, Federal Criminal Code and Rules; 2017 Edition, Constitutional Law, Cases and Materials, Constitutional Law, 2017 Supplement.

7. And another reason is that Petitioner lost his precious life by the vicious elaborate conspiracy to murder crime. His life significantly is irreparable damaged by the crime. A victim of this murder crime in a special way is got significantly harmed in his life, cannot difficult to recovery without the Supreme Court of the United States Assistance and help. And Petitioner has 3,000 pages of the Victim Impact Statement. If Petitioner could be edited the VIS, then it requires a lot of times. But Petitioner is a very indigent person. Petitioner is not edit and translate the Victim Impact Statement and involving letters while working. Because he has used a lot of money to inform his special murder crime for the United States Federal Courts Judges and Justices in the United States. Therefore, Petitioner has judged that it must require that at least, the Supreme Court of the United States must order that the United States Government should provide [to] the person a payment to meet basic living expenses for the victim of the Qualifying Criminal Activity because South Korea Government also has provided to the person and providing his parents a payment to meet basic living expenses, because some Americans did bad things to Petitioner. Because as the Court will be aware, the person, Petitioner is as a very indigent person. So Federal Courts have granted Petitioner's application to proceed *in forma pauperis*. See *Seungjin Kim. v. Supreme Court of the United States*; *Seungjin Kim v. President of the United States, Et al.*

8. Another reason is that Petitioner has received a reply email from the OTP Information Desk of the International Criminal Court on **December 3, 2016**. It says that "Thank you for your message. Please note that the International Criminal Court has a very limited jurisdiction. The Court may only address the crimes of genocide, crimes against humanity, and war crimes as defined by Articles 6 to 8 of the Rome Statute that have occurred after 2002, and can only exercise jurisdiction in the countries that have ratified it. For more information on the Court's jurisdiction and the full text of the Rome Statute, please refer to page 2 of the attached document and our website as well as our address, www.icc-cpi.int. We encourage you to carefully review this information. If, after your careful review, you still believe the ICC is the correct place for your case and would like to submit a claim to the Court, then please follow the directions for how to do so on page 1 of the attached document. If you decide to submit information, kindly use only this email address: otp.informationdesk@icc-cpi.int."

So, Petitioner carefully reviewed and pondered the information for 1 year as a victim of Qualifying Criminal Activity. And Finally, Petitioner has decided to submit his criminal conspiracy to murder case to the Office of the Prosecutor, Information & Evidence Unit of the International Criminal Court on **November 6, 2017** to punish underlying two special homosexual rapist murderers and some concealers who are U.S. citizens. (EMS: ES146523443KR, ES146523430KR) Because this is an important international elaborate conspiracy to murder crime. And also, Petitioner has mailed Judge Silvia Fernandez de Gurmendi a letter on **November 6, 2017**. (EMS: EE419809042KR) And also, Petitioner has mailed ICC Attorney, Fatou Bensouda a letter on **November 27, 2017**. (EMS: EE419809498KR)

And according to the **Rome Statute of the International Criminal Court, Article 53. Initiation of an investigation**: "The Prosecutor shall, having evaluated the information made available to him or her, initiate an investigation

unless he or she determines that there is no reasonable basis to proceed under this Statute." So, Petitioner believes that the Prosecutor Office of the ICC will start to investigation of his criminal case to the end. But before start to investigation, his safety must be considered. Because the Prosecutor office of the ICC will start to contact the South Korea Police. Then, South Korea Police will be started to re-investigate of the internationally organized crime. Then the accused ones who are criminals immediately report to the World Headquarters of Jehovah's Witnesses about the investigation if they are investigated by the Police. And then they also contact Petitioner father and mother immediately also to pressure to stop accusation. Because Petitioner is living with his parents inevitably because Petitioner is a homelessness. Then Petitioner parents will confine him in mental hospital force to be dismissed his accusation of the crime. This is wicked ones' futile charade. Therefore, Petitioner wish to leave the South Korea quickly to be safety. And Petitioner wish to immigrate into the United States. Then, the United States Attorney General will be issued a U-Nonimmigrant Visa for an immigrant victim of an international murder crime promptly. Because in accordance with **the Rome Statute of the International Criminal Court, Article 68**. "Protection of the victims and witnesses and their participation in the proceedings: 1. The Court shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses. 4. The Victims and Witnesses Unit may advice the Prosecutor and the Court on appropriate protective measures, security arrangements, counselling and assistance as referred to in article 43, paragraph 6." And there are also some good U.S. laws and regulations to be issued U Nonimmigrant visa fast. See 18 U.S.C. §1512 – Tampering with a witness, victim, or an informant. 18 U.S.C. §1512(h) "There is extraterritorial Federal Jurisdiction over an offense under this section, 28 CFR §0.111B Witness Security Program, 18 U.S.C. §3521 Witness Relocation and Protection. Hence, I believe that the ICC will help me to protect. Therefor, Petitioner needs time to obtain U Nonimmigrant status and to appeal in the Supreme Court of the United States.

9. And in accordance with 18 U.S.C § 3521 - Witnesses relocation and Protection, The Supreme Court of the United States can request the United States Attorney General about the help that (A) provide suitable documents to enable the person to establish a new identity or otherwise protect the person; (B) provide housing for the person; (C) provide for the transportation of household furniture and other personal property to a new residence of the person; (D) provide to the person a payment to meet basic living expenses, in a sum established in accordance with regulations issued by the Attorney General, for such times as the Attorney General determines to be warranted; (E) assist the person in obtaining employment; (F) provide other services necessary to assist the person in becoming self-sustaining; (G) disclose or refuse to disclose the identity or location of the person relocated or protected, or any other matter concerning the person or the program after weighing the danger such a disclosure would pose to the person, the detriment it would cause to the general effectiveness of the program, and the benefit it would afford to the public or to the person seeking the disclosure, except that the Attorney General shall, upon the request of State or local law enforcement officials or pursuant to a court order, without undue delay, disclose to such officials the identity, location, criminal records, and fingerprints relating to the person relocated or protected when the Attorney General knows or the request indicates that the person is under investigation for or has been arrested for or charged with an offense that is punishable by more than one year in prison or that is a crime of violence; (H) protect the confidentiality of the identity and location of persons subject to registration requirements as convicted offenders under Federal or State law, including prescribing alternative procedures to those otherwise provided by Federal or State law for registration and tracking of such persons; and (I) exempt procurement for services, materials, and supplies, and the renovation and construction of safe sites within existing buildings from other provisions of law as may be required to maintain the security of protective witnesses and the integrity of the Witness Security Program.

If the Supreme Court of the United States requests the help, then Petitioner believes that the United States Attorney General just will help Petitioner within a month like above. Because Petitioner is only a witness of a famous American, a former member of the Governing Body of Jehovah's Witnesses, Guy H. Pierce's wrongful death and his underlying murder case regarding his concerns with alleged or factual qualifying criminal activity. These cases must be investigated by the United States Federal Courts to be specific for the future.

10. In Supreme Court Case, *Hamer v. Neighborhood Housing Services of Chicago Et Al.*, Petitioner, Charmaine Hamer filed an employment discrimination suit against respondents. The District Court granted respondents' motion for summary judgement, entering final judgment on September 14, 2015. Before October 14, the date Hamer's notice of appeal was due, her attorneys filed a motion to withdraw as counsel and a motion for an extension of the appeal filing deadline **to give Hamer time to secure new counsel**. The District Court Judge granted both motions, extending the deadline to December 14, a two-month extension. Similarly, Petitioner also need counsel and finding a lawyer competent to help Petitioner in this matter. And Petitioner will and must edit Petitioner's Victim Impact Statement that is about 3,000 pages to submit to the Office of the Prosecutor, Information & Evidence Unit of the International Criminal Court. That's very difficult and painful job to a victim of a crime. Because Petitioner is suffering serious Trauma sometime. Therefore, if the Court give Petitioner enough time to appeal, then Petitioner would be very appreciated it. *See the Booklet, First response to Victims of Crime, Office for Victims of Crime*. Cases, Regulations, Statutes/Laws, Legislative history, Treaties and international materials, Publications and communications by governmental agencies, and Commonly cited commercial publications.

11. Native Speakers just need to memorize only keywords, but non-native speakers must memorize every words and sentences. Therefore, Petitioner need more times.

Lastly, when Petitioner try to admit to the United States **on March 1, 2018**, Petitioner sincerely need to a granted notice which is application to file the Petition for a Wirt of Certiorari from the Supreme Court of the Unite States, then CBP Officers and ICE Officers will issue a humanitarian parole for Petitioner to appear for and participate in civil litigation in the Supreme Court or criminal prosecution if his U Nonimmigrant status is not granted until the time. See 8 U.S. Code §1254a, **Temporary Protected Status**. Because under 8 U.S.C. 1225(b), inadmissible aliens who are victims of Qualifying Criminal Activity involving U.S. citizens must be detained, without an imminent bond hearing, although he is in the U.S. Supreme Court within the 90-day appeal period. The Petitioner cannot be protected by the U.S. Laws and Regulations.

Anyway, Petitioner believes and foresees that this case is a very important case for the U.S. precedents and will be amended some U.S. Laws and Federal Regulations for victims of the violent crimes. And Petitioner sincerely need a granted letter from the Supreme Court of the United States at once because it will be protected Petitioner in the United States. Therefore, the Supreme Court should grant to application to file the petition for a petition for Writ of Certiorari for good cause.

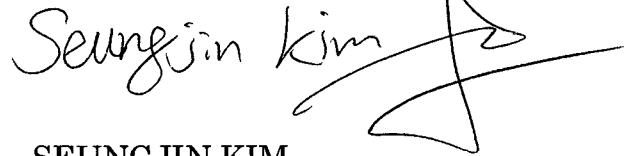
CONCLUSION

If this application denied by the Chief Justice of the Supreme Court of the United States, John G. Roberts, then it will be irreparable harmed Petitioner and his family in his future **forever**. Therefore, this application to file *the Petition for a Wirt of Certiorari* should be granted by Chief Justice, John G. Roberts.

For the foregoing good reasons and causes, Petitioner respectfully submits that the time within which to file *a petition for a writ of certiorari* should be extended by 60 days, from March 6, 2018, to and including May 4, 2018.

Date: January 26, 2018.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, reading "Seungjin Kim". The signature is stylized with a large, sweeping flourish that extends to the right and then loops back down.

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Appended copy of the opinion below and order denying rehearing.