

COVER SHEET

DOCKET NUMBER: N/A

UNITED STATES SUPREME COURT

PATRICIA ANN BOGAN vs DENTON COUNTY DISTRICT ATTORNEY OFFICE

EXTENSION OF TIME ON A WRIT OF CERTIORARI and REVIEW OF DENIED  
REINSTATEMENT OF CASE

TO THE UNITED STATES SUPREME COURT FROM THE FIFTH CIRCUIT COURT OF  
APPEALS, NEW ORLEANS LOUISIANA Case #22-40231

PATRICIA ANN BOGAN – PRO SE LITIGANT, APPELLANT

PO BOX 494603

Garland, Tx 75049

972-809-9706

Email: ZRF61P4V@outlook.com

JOHN FELDT - CHIEF EXECUTIVE OFFICER - Appellee

1450 E McKinney St Suite 3100

Denton, Tx 76209

940-349-2600

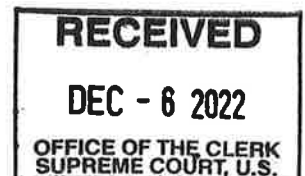
COUNSEL OF RECORD FOR

THE DEFENDANT: DENTON COUNTY DISTRICT ATTORNEY OFFICE

Paul Johnson – District Attorney

Gerald (Wayne) Jerry Cobb – Former District Attorney

Bruce Isaacks – Former District Attorney



1 **PATRICIA ANN BOGAN**  
2 **PO BOX 494603**  
3 **GARLAND, TX 75049**  
4 **PHONE: 972-809-9706**  
5 **EMAIL: [ZRF61P4V@outlook.com](mailto:ZRF61P4V@outlook.com)**

6 **UNITED STATES SUPREME COURT**  
7 **WASHINGTON, DC**

8 **PATRICIA ANN BOGAN**  
9 **FORMERLY PATRICIA ANN MITCHELL,**  
10 **Plaintiff**

11 vs.

12 **DENTON COUNTY DISTRICT ATTORNEY**  
13 **OFFICE**

14 **PAUL JOHNSON DISTRICT ATTORNEY**

15 **GERALD(JERRY)WAYNE COBB FORMER**  
16 **DISTRICT ATTORNEY**

17 **BRUCE ISAACKS FORMER DISTRICT**  
18 **ATTORNEY**  
19 **Defendant**

**Case No.: N/A**

**SUPREME COURT JUSTICE SAMUEL ALITO**

**APPLICATION TO FILE REVIEW**  
**OF "DENIED REINSTATEMENT OF A CASE"**  
**AND "EXTENSION OF TIME FOR A WRIT OF**  
**CERTIORARI"**

20 Now comes appellant **Patricia Ann Bogan** requesting review of denial to reinstatement of a case

21 Dated 08/29/2022 and requesting extension of time to file a petition for a Writ of Certiorari.

22 Judge Clements denied reinstatement of the case, due to principal brief did not

23 include cover sheet, table of contents. The denial stated I could reinstate the case with corrections.

24 Corrections were made 8/3/2022, it was denied because I needed to resubmit with a new brief. I

25 Corrected and resubmitted 08/26/2022 and resubmission was denied 08/29/2022. I submitted a

26 Request for extension to Justice Samuel Alito 11/16/2022 and was notified by the Clerk Susan

27 That my request was out of time. I contacted her and advised the reinstatement was denied

28 **SUPREME COURT JUSTICE SAMUEL ALITO APPLICATION TO FILE REVIEW OF "DENIED**  
**REINSTATEMENT OF A CASE" AND "EXTENSION OF TIME FOR A WRIT OF CERTIORARI" - 1**

1 8/29/2022 and was under the impression that it was timely filed according to supreme court rule  
2 13(3). She returned my call stating I needed to resubmit document requesting review of the denial  
3 dated 8/29/2022 as well as request for extension. Susan advised the determination was made from  
4 the date of the order and not from the denial and I would need to submit an application to review  
5 "The denial of reinstatement." I assumed that the documents ran simultaneously and/or  
6 concurrently with each other to get a judgment on the merits of the case. The judge back dated the  
7 order and mandate to 07/21/2022 error and/or omission.... denial for want of prosecution, without  
8 considering the correction and reinstatement.

9 I am requesting extension of time to file a petition for a Writ of Certiorari and review of "denial of  
10 reinstatement. Notice of appeal filed with us district court Sherman Tx 04/12/2022. 5<sup>th</sup> Circuit US  
11 Court of Appeals New Orleans Louisiana docketed 4/20/2022. The court struck the brief for want  
12 of prosecution due to Table Of contents not being included with Principal brief on 07/21/2022.

13 The court allowed a motion of reinstatement after correction was made. 1<sup>st</sup> correction was made  
14 8/3/2022 by only submitting omitted documents. 2<sup>nd</sup> correction was made 8/22/22 due to the fact  
15 that I only sent the omitted documents i.e., table of contents etc. on 8/3/2022. 2<sup>nd</sup> submission was  
16 filed in New Orleans 8/26/2022 but the court denied the reinstatement of the appeal 08/29/2022.

17 The court is stating that after corrections made it still did not comply with the requested  
18 corrections. I corrected as she requested from 7/21/2022 denial for want of prosecution. As I stated  
19 it was a second correction, I thought they could just add the omission and not have to resubmit the  
20 entire brief. The 5<sup>th</sup> circuit never sent a copy of the mandate stating the appeal could be reopened  
21 and I was not made aware of the option to reopen after denial of the reinstatement. I retrieved the  
22 information from pacer.gov. The court had filed the mandate with David O'Toole the clerk in  
23 Sherman.

24 The circuit is sending my mail to us post office Garland, Tx. I never received a copy of the  
25 mandate. I only received the notification from a Judge Clements stating the Request to reinstate  
26 was denied she also stated corrections were not made. There have been a lot of problems with the  
27

1 mail coming up missing from the Garland post office. Since I filed the lawsuit in 2018.

2 Requesting court to send my paperwork certified, so the documents can be signed for. There has  
3 continuously been a problem with post offices. I also had problems when in Denton from 1982 –  
4 1992 and mail missing and stolen i.e., money order. Which is an issue that was raised when this  
5 internet service loaded 1992 or so and gas masers added to electric/phone lines. The comment was  
6 made, “if they turn that on, mail will be stolen, bank accounts hacked and excessive thefts.

7 Another comment made in 2000 that floored me was, “yep, those like blowing up buildings.”

8 I am requesting a 60-day Extension due to extenuating circumstances. I am employed full time as  
9 a Medicare Benefits Advisor with Extend Health/Via Benefits, Willis Towers Watson,

10 Richardson, Tx during the Medicare Annual Enrollment season I will be working overtime

11 through Dec 7, 2022. I also am in the process of seeking an attorney to represent me as counsel.

12 Not sure how successful that will be. I’ve tried over the years to seek an attorney with no luck. I

13 moved from my apartment 07/31/2022 due to excessive harassment by the neighbors upstairs.

14 Also, a white male burst the walls out of the hot water storage outside the apartment. I decided I

15 better get to moving. I have not relocated. I have pictures of the condition of the apartment and the

16 storage room that walls were burst out of as well as police reports if needed or requested. I had

17 problems with nails in the car tires and being put on a flat from what I could tell. The locks were

18 popped, and tote bag stolen with some briefings and replies to the case while in Sherman 2/2022

19 President’s day weekend, police reports were filed.

20 I am trying to get reorganized. I suddenly began having problems with my computer being Cyber-

21 Attacked, which is causing a slower response time from the coherent lights. They appear to be

22 copying my work. I must keep turning the light off and back on for the cursor to work. There

23 appears to be a shared control that I did not authorize. Files missing from my hard drive. I paid

24 well over a thousand dollars for my computer, printer, and accessories. My bank accounts have

25 been hacked and compromised in the past. Money fraudulently stolen. I will use the library facility

26 to complete the briefing and making copies. My printer started going haywire printing old jobs

27 that I did not request to be printed again and not print the requested material. My phone does not

1 work efficiently since around April of 2022. It really made me nervous with deadlines to meet.  
2 The interception is horrible, in a lot of pain. In and out a lot, can't stay on the inside without the  
3 harassment, can't stay outside without the harassment. I'm finding the individuals are needing the  
4 closed circuit TV, murders on the lines, homosexuals, transsexuals, and/or LGBT group. It's next  
5 to impossible to get some cooperation out of them to stay off my property. We can't manage to get  
6 through the preliminary process of this proceeding with the lawsuit. What they are doing with this  
7 covert operation is way against the law and criminal. Waiting to quack a medical malpractice.

8 I work full time and I have spent a lot of midnight and beyond oil, stayed up a few days with no  
9 sleep trying to complete this since 2018. I also advised the 5<sup>th</sup> circuit of the problems I was having  
10 and the move. Complaints have been filed with the police and FBI. I have pictures of the damage  
11 at the apartment from the white guy, and the neighbors upstairs disturbing the peace. I just paid  
12 over 3000 dollars for a car repair and rental car 11/9/2022.

13 I lost both parents through this interception and my mother listened to some testimony during that  
14 trial in Tyler. Excessive radiation is the worst with burns and attacks.

#### 15 16 **BASIS FOR JURISDICTION**

17 I Patricia Ann Bogan, Appellant in Patricia Ann Bogan vs Denton County District Attorney  
18 Office, filed a Section 1983 Illegal Search and Seizure 4<sup>th</sup> Amendment violation includes illegal  
19 electronic surveillance with attacks, Franks Violation-False affidavit, roving interception with  
20 electronic surveillance, reckless endangerment of two underage children at the time, on 2/2020.  
21 Judge Amos Mazzant US District court Sherman, TX for the Eastern district of Texas dismissed  
22 with prejudice 04/2022. Notice of Appeal file with the 5<sup>th</sup> Circuit New Orleans 04/20/2022  
23 WRIT OF CERTIORARI is being requested due to Fifth Circuit court of appeals New Orleans  
24 Louisiana denied reinstatement of the brief due to Table of Contents, Table of Authorities not  
25 being included in the Appellants principal brief on 08/10/2022. Error was corrected and  
26 resubmitted 8/22/2022 but the court denied the reinstatement 8/29/2022. The court dismissed for  
27

1 want of prosecution 07/21/2022.

2  
3 **JUDGEMENT SOUGHT**

4 Requesting the court to remand to Denton County District Attorney and repeal stay of proceeding  
5 to complete discovery, request for admission, production of documents. Settlement in the  
6 in the amount of 3.5 million dollars for continuing tort violation, illegal search 4<sup>th</sup> amendment  
7 electronic surveillance-50usc1809(a)(1)(2)” criminal sanctions” under color of law not approved  
8 under Title 18. Civil liability 50USC1810,28USC2403(b) may apply and be served on the  
9 Attorney General of Texas: Notice of Constitutional question -use of unmanned  
10 aircraft-1990; lacking warrant & statute-Defacto officer doctrine, tracking device, tampering with  
11 a witness, assault, and battery, reckless endangerment of two underage children, personal injury.  
12 Willful attempt to defame the character, PHI violation, Franks violation-false affidavit  
13 438USC154, Permanent injunction and/or remand back to the 5<sup>th</sup> circuit for reopening of the  
14 appeal for judgment on the merits of the case.

15  
16  
17 Dated this 28<sup>th</sup> day of November 2022

18  
19 /s/ Patricia Ann Bogan

20 **PATRICIA ANN BOGAN – PRO SE LITIGANT**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been forwarded by first class mail to each **Attorney of Record** on this 28<sup>th</sup> day of November 2022.

**John Feldt – Attorney of Record**

**Chief Executive Officer Civil Division**

**1450 East McKinney St Suite 3100**

**Denton, Tx 76209 Phone Number 940-349-2600**

**Representing Defendants:**

Paul Johnson

Denton County District Attorney

1450 East McKinney St Suite 3100

Denton, Tx 76209

Gerald (Jerry) Wayne Cobb

Former District Attorney

Denton County District attorney Office

121 W Hickory St Ste 202

Denton, Tx 76201

Bruce Isaacks

Former District Attorney

Denton County District Attorney Office

1701 N Locust St. Suite A

Denton, Tx 76201

/s/ Patricia Ann Bogan

Patricia Ann Bogan Pro Se Litigant

1 Patricia Ann Bogan

2 Mailing Address:

3 PO Box 494603

4 Garland, Tx 75049

5 469-849-3801

6 Email: [ZRF61P4V@outlook.com](mailto:ZRF61P4V@outlook.com)

7  
8 IN THE UNITED STATES COURT OF APPEALS  
9 FIFTH CIRCUIT  
10 NEW ORLEANS LOUISIANA

11 PATRICIA ANN BOGAN FORMERLY

12 PATRICIA ANN MITCHELL - DIVORCED

13 Plaintiff

14 vs.

15 DENTON COUNTY DISTRICT ATTORNEY OFFICE  
16 - PAUL JOHNSON DISTRICT ATTORNEY

17 GERALD(JERRY) WAYNE COBB -- FORMER  
18 DISTRICT ATTORNEY

19 BRUCE ISAACKS - FORMER DISTRICT  
20 ATTORNEY,

21 Defendant

Case No.: 22-40231

MOTION TO REQUEST REOPENING OF  
DISMISSAL; FOR WANT OF PROSECUTION



22 Now comes Plaintiff Patricia Ann Bogan Plaintiff requesting to reopen Bogan vs Denton Cour  
23 District attorney office, Illegal Search and Seizure Civil Lawsuit. The US Court of Appeals  
24 circuit dismissed for want of prosecution; advising plaintiff did not comply in a timely manne:  
25 courts notice from 7/21/2022.



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I assume the documents that were submitted dated 8/3/2022 post marked 8/4/2022 could not be added to the prior brief. Resubmitting to include additions attached to the original brief. Requesting motion to reopen case, by submitting additions which include the Table of Content Table of Authorities, Cover Sheet and new copy of the brief, to the US Court of Appeals 5<sup>th</sup> Circuit. Combined service of process to John Feldt which includes all three defendants, Paul Johnson, Jerry Cobb, Bruce Isaacks.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been Forwarded by first class mail to each attorney/party of Record.

Dated this 22nd day of August 2022

/s/ Patricia Ann Bogan  
Patricia Ann Bogan Pro Se Litigant

Dated this 22nd day of August 2022

/s/ Patricia Ann Bogan  
Patricia Ann Bogan – Pro Se Litigant

CASE NO 22-40231

PATRICIA ANN BOGAN,

PLAINTIFF – APPELLANT

V.

DENTON COUNTY DISTRICT ATTORNEY OFFICE; Gerald Wayne Cobb; Bruce Isaacks,

DEFENDANTS - APPELLEES

**TABLE OF AUTHORITIES**

**CASE CITATIONS**

Continuing Tort – “The Continuing Violations Doctrine”/Gonzaga Law Review - Kyle  
 Graham..... Page 13 & 18  
 Dominick vs Hanson..... Page 12  
 Snead Rule, 59 F.R.D at 149.....Page 12-13  
 Sumner vs Beeler, Kelly vs Bemis, Campbell vs Sherman Officers ..... Page 14

**STATUTES**

Crime Fraud Exception..... Page 17  
 Cruel and Unusual punishment - 14<sup>th</sup> Amendment..... Page 1,16,22  
 Due process of Law - 8<sup>th</sup> Amendment..... Page 1,16,21  
 Illegal Search and Seizure - 4<sup>th</sup> Amendment.....Pages  
 1- 2, 8, 12, 15,  
 17, 21  
 Texas Civil Practice and Remedies Code..... Page 3

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 29, 2022

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 22-40231     Bogan v. Denton County  
                              USDC No. 4:20-CV-137

The court has denied appellant's motion to reinstate the appeal.

Sincerely,

LYLE W. CAYCE, Clerk

*Christina Rachal*

By: \_\_\_\_\_  
Christina C. Rachal, Deputy Clerk  
504-310-7651

Ms. Patricia Ann Bogan  
Mr. John Joseph Feldt Jr.  
Mr. David O'Toole

*United States Court of Appeals*

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 10, 2022

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 22-40231      Bogan v. Denton County  
USDC No. 4:20-CV-137

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

*Christina Rachal*

By: \_\_\_\_\_  
Christina C. Rachal, Deputy Clerk  
504-310-7651

Ms. Patricia Ann Bogan  
Mr. John Joseph Feldt Jr.  
Mr. David O'Toole

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 10, 2022

Lyle W. Cayce  
Clerk

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No. 22-40231

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PATRICIA ANN BOGAN,

*Plaintiff—Appellant,*

*versus*

DENTON COUNTY DISTRICT ATTORNEY OFFICE; GERALD  
WAYNE COBB; BRUCE ISAACKS,

*Defendants—Appellees.*

---

Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:20-CV-137

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ORDER:

On July 21, 2022, the clerk provided the appellant 14 days to correct deficiencies in the brief filed on July 18, 2022. The directed corrections were not made. Accordingly, IT IS ORDERED that the previously filed brief is stricken because it does not comply with the applicable FED. R. APP. P. or 5TH CIR. R., and the clerk is directed to dismiss the appeal for failure to prosecute under 5TH CIR. R. 42.3.

**United States Court of Appeals**FIFTH CIRCUIT  
OFFICE OF THE CLERKLYLE W. CAYCE  
CLERKTEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

August 10, 2022

Mr. David O'Toole  
Eastern District of Texas, Sherman  
101 E. Pecan Street  
Federal Building  
Room 216  
Sherman, TX 75090-0000No. 22-40231 Bogan v. Denton County  
USDC No. 4:20-CV-137

Dear Mr. O'Toole,

Enclosed is a copy of the judgment issued as the mandate.

Sincerely,

LYLE W. CAYCE, Clerk

*Christina Rachal*

By: \_\_\_\_\_

Christina C. Rachal, Deputy Clerk  
504-310-7651

cc:

Ms. Patricia Ann Bogan  
Mr. John Joseph Feldt Jr.

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

August 10, 2022

Lyle W. Cayce  
Clerk

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No. 22-40231

---

PATRICIA ANN BOGAN,

*Plaintiff—Appellant,*

*versus*

DENTON COUNTY DISTRICT ATTORNEY OFFICE; GERALD  
WAYNE COBB; BRUCE ISAACKS,

*Defendants—Appellees.*

---

Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 4:20-CV-137

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CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of August 10, 2022, for want of prosecution. The appellant failed to timely comply with the Court's notice of July 21, 2022.

The brief also remains insufficient as noted in this court's letter dated July 21, 2022. If appellant moves to reopen the appeal, both record excerpts and a sufficient brief must accompany any motion to reopen this appeal.



No. 22-40231

**LYLE W. CAYCE**  
Clerk of the United States Court  
of Appeals for the Fifth Circuit

*Christina Rachal*

By: \_\_\_\_\_

Christina C. Rachal, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT