

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

J.M.F

Petitioner,

v.

DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS,

Respondent,

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR A WRIT OF CERTIORARI**

To the Honorable Samuel Alito
Associate Justice of the United States Supreme Court
and Circuit Justice for the Third Circuit

Julia Maria Fernandez
Appellant
442 5th Avenue #1596
Manhattan, NY 10018
Phone: (201) 558-0443
Email: juliamaria@mail.com

Jeffrey Padgett, DAG
25 Market Street
P.O Box 106
Trenton, NJ 08525
Phone: (609) 376-3247
Email: Jeffrey.Padgett@law.njoag.gov

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OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES

To the Honorable Samuel A. Alito, Associate Justice of the Supreme Court of the United States and Circuit Justice to the United States Court of Appeals for the Third Circuit:

I, the appellant, respectfully request an extension of time to file a Petition for a Writ of Certiorari as per Rule 13.5. The current deadline to file my petition is April 10, 2023. I ask that this deadline be extended by 60 days, until June 10, 2023. This Court has jurisdiction under 28 U.S.C. §1257.

The judgement from which review is sought is J.M.F v. Department of The Treasury, Division of Pension and Benefits* (attached as Appendix A.) The New Jersey Supreme Court denied my request for review on September 7, 2022 and a Motion for Reconsideration on January 10, 2023. Copies of these Orders denying review are attached as Appendices B1 and 2.

I am also attaching excerpts from my Petition for Certification and Motion for Reconsideration (as Appendices C1 and 2) to give an overview of my case and of my reply to the Appellate Decision, which will be discussed in greater detail in my Petition for a Writ of Certiorari to this Court.

My appeal involves several vital Constitutional rights which have been denied to me by a New Jersey state agency and by the NJ Courts: the rule of law, due process and the First Amendment Free Speech Clause. My case also involves the important constitutional issue of separation of powers.

*The original case caption read: Julia Maria Fernandez v. Board of Trustees, TPAF. But weeks after filing my NOA with the Appellate Court under that name and being approved, I was contacted by the Court and told that I had to change the second half of the caption in order to be able to proceed with my appeal. The first part of the caption (Julia Maria Fernandez) became J.M.F (my name initials) when my record was sealed. This is part of my appeal case and will be explained in my Petition for a Writ of Certiorari.

This request is based on good cause. I am a pro se appellant with no background in law working by myself and I need sufficient time to put together the best Petition possible, properly laying out the facts of the case and the many important reasons why this Court should grant it. I need time, not only to do this, but to do it with as much accuracy, brevity and clarity as I am capable of.

I need time to reread and consider well this Court's rules to ensure that I am doing things correctly. I need time to put the different parts of the Petition together in the correct format, edit it, and print and properly bind the different copies that I must file.

Furthermore, I need more time because I suffer from ongoing health problems stemming from a Traumatic Brain Injury I suffered years ago. These problems affect the speed in which I am able to complete tasks, especially those requiring thinking and writing.

In addition, I have other ongoing health problems that affect the speed with which I am able to complete tasks. Specifically, breathing problems resulting from having suffered from Covid in 2020, which caused my lungs to become hyperinflated due to air being trapped there. Finally, I live by myself and don't have anybody to help me write this Petition. I must do everything myself.

For all the above reasons, I trust that this Court will grant my request for an extension of time to file my Petition. Because if my case is not reviewed, I will be gravely and irreparably harmed by an unjust and unconstitutional decision which robbed me of my livelihood and of my right to freedom of speech. And most

importantly, because not reviewing it will have very negative consequences for the public at large. For, what purpose does it serve to have a Constitution which guarantees vital rights such as the rule of law and due process if state agencies can ignore them and tyrannize hard-working and law abiding citizens by denying their rightful and needed disability pensions for reasons other than the facts of the case with the permission and collaboration of that state's judiciary?

In his dissenting opinion in *Gerba v. Public Employees' Retirem. Sys. Trustees* more than 40 years ago, New Jersey Supreme Court Justice Morris Pashman denounced the state agency's abuse of power in denying Mr. Gerba his rightful accidental disability pension without Substantial Credible Evidence and lamented the Court's "deference" to the state agency, describing it as "an *unwholesome development in the administrative law of this State*" which would allow state agencies to continue to abuse their power and deny people their rightful pensions "*without fear of reversal.*" My case shows Justice Pashman was right.

I respectfully request that this Court extend the current April 10, 2023 deadline until June 10, 2023 in the interest of justice and for good cause shown.

Respectfully submitted,

Julia María Fernandez
~~Julia Maria Fernandez~~

Cc: Attorney Jeffrey Padgett, DAG