

Supreme Court, U.S.
FILED
JUN 26 2023
OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

U.S. SUPREME COURT DOCKET NO. _____

FIRST CIRCUIT DOCKET NO. 20-1308

IN RE: STEVEN C. FUSTOLO

Debtor

STEVEN C. FUSTOLO

Applicant/Petitioner

v.

*THE PATRIOT GROUP, LLC;
50 THOMAS PATTON DRIVE LLC*

Respondent

Application for an Extension of Time Within
Which to File a Petition for a Writ of Certiorari
by Stephn Fustolo

**APPLICATION TO THE HONORABLE JUSTICE
KETANJI BROWN JACKSON AS CIRCUIT JUSTICE**

John G. Mateus, Esq.
400 W. Cummings Park
Suite 1725-119
Woburn, MA 01801
John@MateusLaw.com
617-475-0158
Attorney for Applicant

June 26, 2023

ORIGINAL

RECEIVED
JUN 29 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Steven Fustolo (Applicant), by counsel John G. Mateus, hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, September 8, 2023.

JUDGEMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is the First Circuit order of February 8, 2023 for *In Re: Fustolo: Fustolo v. The Patriot Group LLC; and 50 Thomas Patton Drive LLC* (attached as Exhibit 1). The First Circuit denied Applicant's motion for en banc and rehearing on April 12, 2023 (attached as Exhibit 2).

JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari was due to be filed on or before July 10, 2023. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the First Circuit, up to and including September 8, 2023, for the reasons as follows:

1. The issue is of serious constitutional importance – the standard of review on appeal on a motion to recuse, which invokes the Due Process rights to a fair trial and an impartial judge.
2. Applicant's petition involves a circuit split that involves all circuits and thus requires research on all circuit decisions related to the issue.
3. Applicant's attorney, a solo practitioner, has never before filed a petition for a writ of certiorari before this court before and thus needs this time to adequately research and prepare his first petition for a writ of certiorari.
4. Due to the nature of this matter (civil, not criminal, and bankruptcy), no additional outside counsel may be brought in to assist, even on a pro bono basis.
5. Applicant's attorney has not yet been sworn into the U.S. Supreme Court bar as of this date, although he has filed his application on this date.
6. Applicant has included the relevant filing fee with this application.
7. Applicant's attorney also has numerous other filings due, including pertinent memorandum and briefs on substantial criminal matters.
8. A 60-day extension to September 8, 2023 would allow the Applicant the necessary amount of time to effectively contribute to all open matters including Applicant's petition, would not prejudice the respondents, and

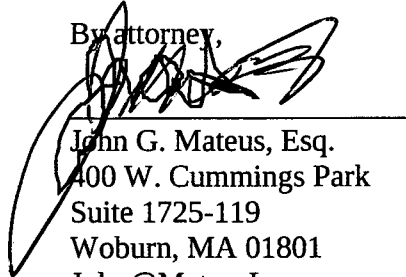
would also allow for sufficient research and drafting time to complete the petition in a professional manner.

CONCLUSION

Mr. Fustolo requests the U.S. Supreme Court grant an extension of 60 Days, up to and including September 8, 2023, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,
STEVEN FUSTOLO,

By attorney,



John G. Mateus, Esq.
400 W. Cummings Park
Suite 1725-119
Woburn, MA 01801
John@MateusLaw.com
617-475-0158

2023-06-26
DATE