

No. 25A762

IN THE

SUPREME COURT OF THE UNITED STATES

**MARK MAZZA,
LISA MAZZA,**

Petitioners,

v.

BANK OF NEW YORK MELLON,
Respondent.

**APPENDIX
ON PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF
APPEALS
FOR THE THIRD CIRCUIT**

MARK MAZZA
LISA MAZZA
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Pro Se

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APPENDIX A

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

THE BANK OF NEW YORK MELLON

v.

MARK D. MAZZA and LISA A. MAZZA

CIVIL ACTION

No. 17-5453

ORDER

AND NOW, this 20th day of September, 2024,
upon consideration of pro se Defendants Mark D.
Mazza and Lisa A. Mazza's Motion for
Reconsideration (ECF No. 91), it is ORDERED the
Motion is Denied.¹

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.

¹ The Court previously denied Defendants' Motion for an Extension of Time to Appeal (ECF No. 90). The Court now denies this motion to reconsider that order.

APPENDIX B

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS . FOR
THE THIRD CIRCUIT
No. 24-2794

BANK OF NEW YORK MELLON, FKA THE BANK
OF NEW YORK, AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2006-0A10
MORTGAGE PASS-THROUGH CERTIFICATES
SERIES 2006-0A10

v.

MARK MAZZA; LISA MAZZA,
Appellants

On Appeal from the United States District Court for
the Eastern District of Pennsylvania (D.C. Civil No.
2:17-cv-05453) District Judge: Honorable Judge Juan
R. Sanchez

Submitted Pursuant to Third Circuit LAR 34.1(a)
May 8, 2025

Before: SHWARTZ, MONTGOMERY-REEVES, and
SCIRICA, Circuit Judges

(Opinion filed: May 16, 2025)

OPINION*

PER CURIAM

Mark and Lisa Mazza appeal *pro se* from the District Court's orders denying their motion to extend the time to file a notice of appeal pursuant to Federal Rule of Appellate Procedure 4(a)(5) and their motion for reconsideration. For the following reasons, we will affirm.

In May 2023, the District Court granted summary judgment to Appellee Bank of New York Mellon (BNYM) in the underlying ejectment action, and we affirmed. See *Bank of N.Y. Mellon v. Mazza*, No. 23-2168, 2024 WL 4164622 (3d Cir. Sept. 12, 2024). In May 2024, the Mazzas filed a motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b). The District Court denied that motion by order entered June 4, 2024. Pursuant to Federal Rule of Appellate Procedure 4(a)(1)(A), the Mazzas had 30 days to appeal from that judgment. However, because the 30th day fell on a legal holiday, the time for filing their notice of appeal expired on July 5, 2024. See Fed. R. Civ. P.16(a)(1)(C).

The Mazzas filed their notice of appeal on July 7, 2024, two days late. The Mazzas filed a timely motion to extend the time to appeal pursuant to Federal Rule of Appellate Procedure 4(a)(5). The District Court denied the motion, and their subsequent motion for reconsideration. This appeal ensued.

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

We have jurisdiction pursuant to 28 U.S.C. § 1291. We review the denial of a Rule 4(a)(5) motion for abuse of discretion. See *Ragguette v. Premier Wines and Spirits*, 691 F.3d 315, 322 (3d Cir. 2012) ("The district court abuses its discretion if its decision [regarding a 4(a)(5) motion] rests upon a clearly erroneous finding of fact, an errant conclusion of law, or the improper application of law to fact.").

A district court may extend the time to file a notice of appeal upon a showing of "excusable neglect or good cause." Fed. R. App. P. 4(a)(5)(A)(ii). The Mazzas argued that an extension of time was warranted because the District Court's order was entered on June 4, but not mailed until June 5, 2024, and they "misappl[ied]" Federal Rule of Civil Procedure 6(d), believing that it allowed them three additional days to file the notice of appeal. They also asserted that they were on a "preplanned" vacation at the time the notice of appeal was due.

We find no clear error with the District Court's equitable analysis or its determination that these circumstances do not establish excusable neglect or good cause for relief. See *Ragguette*, 691 F.3d at 324 (noting that the determination of what constitutes excusable neglect is at bottom an equitable one, taking account of all relevant circumstances surrounding the party's omission). First, the time to appeal runs from the entry of the District Court's order and not its mailing. See Fed. R. App. P. 4(a)(1)(A); Fed. R. Civ. P. 77(d)(2) (providing that lack of notice of entry of the order does not affect the time to appeal). Second, as the District Court noted, "inadvertence, ignorance of the rules, or mistakes construing the rules do not usually constitute 'excusable neglect.'" *Ragguette*, 691 F.3d at 324.

In their motion for reconsideration, and on appeal, the Mazzas allege that they were "misled" regarding the applicability of Rule 6(d) by an "out of state paralegal." ECF No. 91 at 1. But a movant is "accountable for the acts and omissions of their chosen counsel," and the Mazzas have not shown that the error was excusable. Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. P'ship, 507 U.S. 380, 397 (1993). Finally, the Mazzas admit that they received a copy of the order on June 8, 2024, and their vacation, weeks later, was within their control. See Ragguette, 691 F.3d at 324 (noting that a court should consider whether the reason for the delay was within the reasonable control of the movant). Based on the foregoing, the District Court did not clearly err in denying the Rule 4(a)(5) motion or the motion for reconsideration. See Max's Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros, 176 F.3d 669, 677 (3d Cir. 1999) (noting that the purpose of a Rule 59(e) motion "is to correct manifest errors of law or fact or to present newly discovered evidence" (citation omitted)). Accordingly, we will affirm the District Court's judgment.¹

¹ Appellants' argument that they were "lacking interpretation of the notice of appeal rules," and were unable "to assess, analyze and interpret rules of the court and case law" lacks good faith as they acknowledge that Mark Mazza is "a former attorney dating back to 2000." Appellants' Br. at 7, 10.

APPENDIX C

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

THE BANK OF NEW YORK MELLON

v.

MARK D. MAZZA and LISA A. MAZZA

CIVIL ACTION

No. 17-5453

ORDER

AND NOW, this 28th day of August, 2024, upon consideration of Defendants Mark D. Mazza and Lisa A. Mazza's pro se Motion for an Extension of Time to Appeal (ECF No. 88) and Plaintiff's Response (ECF No. 89), it is hereby ORDERED the Motion is DENIED.¹

¹ Pro se Defendants Mark and Lisa Mazza move for an extension of time to appeal the Court's June 4, 2024, Order denying their Motion for Relief Under Federal Rule of Civil Procedure 60(b) (ECF No. 85). The order was mailed to Defendants on June 5, 2024, and, according to Defendants, they did not receive the order until June 8, 2024. ECF No. 88 at 1-2. Defendants assert they are within the 30-day filing window for an appeal due to a delay in receiving the Order via mail. Id. If they are not within the 30-day filing window, Defendants assert the error was unintentional and excusable because they were returning from vacation during the relevant time. Id. at 3. Plaintiff opposes the motion and argues the appeal is untimely and Defendants lack a good excuse. ECF No. 89.

Pursuant to Federal Rule of Appellate Procedure 4(a)(1)(A), a party must file a notice of appeal "within 30 days after entry of the order appealed from." A district court may nonetheless extend the time to file a notice of appeal if (1) a party so moves no later than 30 days after the original 30-day period expires, and (2) the party shows excusable neglect or good cause. Fed. R. App. P. 4(a)(5)(A). A district court may also reopen the time to file a notice of appeal for 14 days if (1) the court finds the moving party did not receive notice of the order sought to be appealed within 21 days of its entry, (2) the motion is filed within 180 days after the entry of the order or within 14 days of the date the moving party receives notice of the order, and (3) the court finds no party would be prejudiced. Fed. R. App. P. 4(a)(6). None of these provisions provide a basis for Defendants' untimely notice of appeal.

Defendants are not entitled to relief under Rule 4(a)(1)(A) because the notice of appeal was untimely. To appeal the Court's June 4, 2024, Order, Defendants were required to file a notice of appeal on or before July 5, 2024. Defendants filed a notice of appeal on July 7, 2024, after the appeal period expired. Defendants are also not entitled to relief under Rule 4(a)(6) because they have not shown they failed to receive notice of the June 4, 2024, Order within 21 days of its entry. In fact, Defendants state they received a mailing of the Order on June 8, 2024. See ECF No. 88 at 2.

To obtain an extension under Rule 4(a)(5)(A), Defendants were required to file a motion for extension within 30 days of the expiration of the July 5, 2024, deadline, i.e., by August 5, 2024, and show good cause or excusable neglect. Defendants filed this Motion on August 1, 2024, but lack the required good cause or excusable neglect. To show good cause, a "movant must demonstrate that he could not control the reason for delay." *Serfess v. Equifax Credit Info. Servs.*, Civ. No. 13-406, 2016 WL 6562040 at *1 (D.N.J. Nov. 4, 2016). To determine whether a party's neglect is excusable, a court

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.

considers factors such as "the reason for the delay, including whether it was within the reasonable control of the movant[.]" *Ragguette v. Premier Wines & Spirits*, 691 F.3d 315, 319 (3d Cir. 2012). "[I]nadvertence, ignorance of the rules, or mistakes construing the rules do not usually constitute 'excusable' neglect[.]" *Id.* at 324. Defendants cite "vacation plans" as the reason for the delay in filing the notice of appeal. ECF No. 88 at 3. This is insufficient to show good cause or excusable neglect because the reason for delay was not an outside factor beyond Defendants' control. Defendants did not have difficulty accessing the Court's Order and did not show other attempts to file a timely appeal. Accordingly, Defendants are not entitled to relief under Rule 4(a)(5)(A).

APPENDIX D

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA**

THE BANK OF NEW YORK MELLON

v.

MARK D. MAZZA and LISA A. MAZZA

**CIVIL ACTION
No. 17-5453**

ORDER

AND NOW, this 4th day of June, 2024, upon consideration of Defendants Mark A. Mazza and Lisa A. Mazza's pro se Motions for Relief Under Rule 60(b) (ECF Nos. 82 and 84), it is hereby ORDERED the Motions are DENIED.¹

¹ 1On May 24, 2023, the Honorable Eduardo C. Robreno entered judgment in this case in favor of Plaintiff Bank of New York Mellon. ECF No. 76. On June 23, 2023, Defendants Mark and Lisa Mazza filed a notice of appeal. ECF No. 77. Their appeal is still pending in the Third Circuit Court of Appeals, Case No. 23-2168.

"As a general rule, the timely filing of a notice of appeal is an event of jurisdictional significance, immediately conferring jurisdiction on a Court of Appeals and divesting a district court of its control over those aspects of the case involved in the appeal." *Venen v. Sweet*, 758 F.2d117, 120 (3d Cir. 1985). The district court retains power to act in limited circumstances, such as to "review attorney's fees applications, order the filing of bonds, modify or grant injunctions, issue orders regarding the record on appeal, and vacate bail and order arrests." In re

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.

Merck & Co., Inc. Sec. Litig., 432 F.3d 261, 268 (3d Cir. 2005). These limitations "prevent[] the confusion and inefficiency which would of necessity result were two courts to be considering the same issue or issues simultaneously." Venen, 758 F.2d at 121. None of the identified exceptions apply in this case. Moreover, the Third Circuit is currently considering two motions and the corresponding briefing. Therefore, the motions for relief are denied. See, e.g., *United States v. Whoolery*, Crim.No. 10-144-02, Civ. No. 15-1168, 2017 WL 228217 at *2 (W.D. Pa. Jan. 18, 2017) (denying a Rule 60(b) motion while appeal was pending).

APPENDIX E

**UNITED STATES COURT OF APPEALS FOR
THE THIRD CIRCUIT**

No. 24-2794

**BANK OF NEW YORK MELLON, FKA THE BANK
OF NEW YORK, AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2006-0A10
MORTGAGE PASS-THROUGH CERTIFICATES
SERIES 2006-0A10**

v.

MARK MAZZA; LISA MAZZA,
Appellants

(E.D. Pa. No. 2:17-cv-05453)

SUR PETITION FOR REHEARING

Present: SHWARTZ, RESTREPO, BIBAS, PORTER,
MATEY, PHIPPS, FREEMAN, MONTGOMERY-
REEVES, CHUNG, BOVE, and SCIRICA', Circuit
Judges

The petition for rehearing filed by Appellants in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the

petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Tamika R. Montgomery-Reeves
Circuit Judge

Dated: October 1, 2025

PDB/cc: Mark Mazza

Lisa Mazza

APPENDIX F

**IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

Mark Mazza, Lisa Mazza

24-2794

Bank of New York Mellon

**PETITION OF APPELLANTS FOR REHEARING
OR REHEARING EN BANC**

Mark Mazza
Lisa Mazza
1271 Farm Rd
Berwyn, Pa 19312

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U.S. v Wong 575 U. S. 402(2015

FRCP 58

FRAP 4

Moore's Federal Practice 110.08(2) pg 120 (1970)

STATEMENT

The proceeding presents important questions of exceptional importance in deciding whether parties extension motion to file notice of appeal met standards of excusable neglect or good cause.

The panel did not address the issue of prejudice to appellee in the opinion, and the application of *Ragguette v Fine Wine and spirits* was an error. The panel did not address all factors which impacted late filing of the notice of appeal. Without addressing the above and considering same will result in irreversible damage and irreparable effect on appellant's rights regarding loss of property rights and claims.

The way in which circuit courts analyze the factors to determine abuse of discretion in regard to excusable neglect and good cause in notice of appeal cases are in conflict and must be further addressed by the Supreme Court.

There appears conflicts in the circuit courts regarding how excusable neglect and good cause are Analyzed and evaluated in determining whether there was an abuse of discretion. The separate document Rule pursuant to FRCP 58 is at issue regarding orders and/ judgments entered by the district court and whether waiver should be at issue when extraordinary circumstances are present when appellee changed the foreclosure order without court approval and in violation of state rules resulting in an illegal and fraudulent transfer of a deed to appellee. This improper action was used by appellee to proceed with a fraudulent ejectment action, for which appellants had no due process and did not know of the altered judgment until 2024. The Pioneer case must be re addressed due to conflicts in

the circuits as to how the factors are applied, evaluated and utilized in determining abuse of discretion in deciding good cause/excusable neglect in cases involving FRCP 60 motions.

INTRODUCTION

Appellants seek review by rehearing or hearing en banc regarding the order of judges dated May 16,2025, and for reversat or remand to the district court to address appellant's FRCP 60 motion.

ARGUMENT

The district court failed to consider all factors in deciding to deny appellants motion for extension to file the notice of appeal, and it is averred an equitable analysis was not conducted before denying the motion.

The panel did the same, only referring to a couple of the circumstances. Equitable analysis of all factors did not occur in this court resulting in a abuse of discretion.

Appellants had no office, no support staff, was pro se, appellants were confused with the actual file date of the order and further due to the order being mailed a day late, appellants were not on electronic filing in the district court, appellants relied on a paralegal's advice they had 3 additional days to file notice of appeal and appellants were away on vacation and did not return home until July 6, 2024. Appellant filed the notice of appeal in the lobby of the federal courthouse on July 7, 2024. Appellants did not know the deadline to file was July 5, 2024. Reference has been made to co appellant being an attorney, which was over 25 years ago. Throughout any litigation involving appellants, including this matter, appellants have hired and sought advices from a number of paralegals and in this instance did not know the appeal deadline date and relied on an out of state paralegal who advised appellants there was 3 additional days to file a notice of appeal.

When appellant practiced law it involved minimal federal practice, with the high percentage of files regarding state cases involving auto and auto insurance type matters. The panel's implication appellant was or should be at a higher degree of knowledge regarding court matters is not based in fact. Even if the panel's reference is true, why would

the appellant seek consultation and advice from a paralegal ? That is because appellant simply did not know the notice of appeal deadline, and with all the other factors noted above resulted in missing the deadline. Appellants filed the notice the weekend they returned from vacation and there is no basis for the conclusion by the panel that there was a lack of good faith. To assume appellant is or was current with the law, had interpretation of notice of appeal rules, caselaw and rules of the court are leaps of faith by the panel. Over the years appellant has proceeded like any pro se party and lawyer type skills have been long gone with limited materials to work with resulting in heavy reliance on paralegals. In this instance appellants received the wrong information and relied upon it not knowing any better. The panel's former attorney conclusions are baseless. Appellant has not been employed in a law practice or law related employer since 2007. Appellants made good faith pro se filings as best as able with very limited resources. Appellant was further lacking in response to this court's jurisdictional letter.

The panel cites *Ragguette v Premier Wines and Spirits*, 691 F. 3d 315, (3d Cir. 2012) to determine if there was abuse of discretion, requiring an analysis of several factors pursuant to the Supreme Court case of *Pioneer Inv. Serv. Co. v Brunswick Assoc. Ltd. P'Ship* 507 U.S. 380 (1993). Lacking in the district court order and the panel's order is an analysis of all the factors, with further lack of addressing all the facts raised by appellants surrounding the notice of appeal filing.

In order to determine if there was an abuse of discretion the factors that were not considered by the

district court and and the panel were set forth in Pioneer, supra. They are 1) the danger of prejudice to The non movant, 2) the length of the delay and the impact on the judicial proceedings, 3) the reason for the delay, including whether it was within the reasonable control of the movant and 4) whether the movant acted in good faith.

It is clear from the panel opinion the above factors were not utilized and analyzed resulting in an improper finding there was no abuse of discretion. On the substantial need to address danger of prejudice to the non movant, there is no reference to it in the panel opinion. Even if it had been addressed, how could there was no prejudice. Appellants filed a rule 60 b motion based on information and claims by the appellee that were contained in appellee's filing within the motion for summary disposition phase in 23-2168 docketed in this court in 2024. This was months after the judgments/orders entered in district court docket 17-5453. Appellants sought to pursue this newly discovered evidence raised for the first time by appellee that appellants did not have knowledge of until 2024. How was appellee prejudiced by this newly discovered evidence that they disclosed?

There was no prejudice, with lack of same if anything self imposed on appellee. Since this was new evidence at issue, there was no lengthy delay nor impact on judicial proceedings. As appellants relied on a paralegal and proceeded later finding out the advice was incorrect, the mistake was not within their control as they were away at the time and had no other source to rely upon. Under all the facts and circumstances appellants proceeded in good faith and filed the notice of appeal as soon as possible after returning from vacation.

There was an incomplete analysis of the above factors and fair and substantial evidence there was a abuse of discretion. Full panel review is warranted and reversal or remand must be considered.

There was further error by the district court in that orders were not issued and docketed separately.

Pursuant to FRCP 58 requiring judgments and orders be separate from opinions . If they are merged together on one document the clerks entry of that ruling on the docket will not constitute a federal judgment nor will that trigger the running of the time for filing notices of appeal and other post trial proceedings. Without filing separate documents, there is an additional 150 days to file a notice of appeal and in appellant's case the notice was filed long before that deadline. See *United Auto workers Loc 259 Soc. Sec. Dept v Metro Auto Ctr.* 501 F3d 283 (3d Cir. 2007); *In re Cendant Corp. Sec. Lit.* 454 F. 3d 235 (3d .Cir. 2006); *Aruaga v. Quiros* 781 F.3d 29 (2nd Cir. 2015).

The technical requirements for a notice of appeal were not mandatory where the notice did not mislead Or prejudice appellee indicate parties to an appeal may waive the separate document requirement. It is contrary to the federal rules of civil procedure for decisions on the merits to be avoided on the basis of such technicalities. *Foman v Davis* 371 U.S. .. 178 (1962) See also *Moore* , Federal Practice 110.08(2), pg.120 n.7 (1970) noting the matter of appealability is not designed for a trap of the inexperienced and the rule should prevent the loss of the right to appeal, not to facilitate loss. *Id* at 119-120. Further, waiver should not be at issue in this appeal when there exists extraordinary circumstances and manifest injustice , resulting in due process and other constitutional violations due to

Illegal deed transfer to appellee causing loss of property rights. Appellants allege this court has before it exceptional circumstances to address sua sponte even if there is an argument regarding forfeiture.

Appellants filed a FRCP 60 motion based on damaging evidence that was concealed by appellee until 2024- newly discovered evidence. This was post the May 23 orders / judgments in the ejectment case and under the circumstances of this case the notice of appeal should be considered timely. Judge Sanchez issued an order of June 4, 2024 denying appellants motions. The separate document rule is applicable, invoking the 150 day extension to file a notice of appeal or making the July 7, 2024 filing valid. Judge Sanchez made no corrections to the June 4, 2024 orders. Appellee filed no responses to the motions denied by the district court judge. The failure to satisfy the separate document requirement will silently trigger the appeal period by an additional 150 days. *Uekert v Guerra* 38 F. 4th 446(5th cir. 2022) In *Mayle v State of Illinois* 956 F. 3d 966(7th Cir, 2020) the appeal court found there was no abuse of discretion and that excusable neglect was satisfied to permit a late notice of appeal. This court acknowledged sometimes notices of appeal deadlines are missed. The case involved a pro se who missed the deadline and had two reasons to address. One, there was a problem with mailing and the second because the plaintiff was on a business trip leading up to the deadline. Based on the numerous factors relevant to appellants, and the vacation plans, meet the excusable neglect and good cause standards. There is lack of support for significant harm or prejudice to appellee as the information identified and unilaterally disclosed by appellee in their filings

to appellant's motion for summary disposition filed in 23-2168 and incorporated herein, and then raised in the FRCP 60 motion do not support any prejudice claims by appellee. There existed sufficient facts and circumstances to support that there was abuse of discretion in the district court by denying the extension.

See also *Ahanchian v Xenon* 624 F.3d 1253(2010) where despite the issue was failure to file a response to a summary judgment motion over a federal holiday weekend. Plaintiff sought an extension on good cause grounds, which was opposed. One of the factors was plaintiff counsel was on a prescheduled trip and the plaintiff also was out of town over the holiday when the response was due to the motion. The court found abuse of discretion and found the district court applied the wrong legal rule or the application of the law to the facts was illogical, implausible or without inferences that could be drawn from the record.

United States v Hinkson 585 F.3d 1247 (9th Cir, 2009) (en banc). Under either good cause or excusable neglect grounds the denial of an extension was an abuse of discretion. In this appeal appellants filed a timely motion for extension, in good faith, supporting the extension request on both grounds. See also *Bateman v U.S. Postal Services* 231 F. 3d 1220(9th Cir.2009) where the court failed to engage in the equitable analysis set forth in the *Pioneer* case in ruling on a FRCP 60 motion. See also *L.A. Adjusters Inc .v Nelson* 17 F 4 th 521(2021).

See also Hamerv Neighborhood Housing Services of Chicago WL 5160782(2017) where the Supreme Found rule FRAP 4a (5)(C) to be a claim processing rule and remanded the case t the district court to determine if the opposing party waived timing requirements by not properly raising in the district court.

As previously mentioned, appellee did oppose an extension but it is alleged a proper analysis and complete consideration of all factors was not completed in accord with the Pioneer and other cases. In United States v Wong 575 U.S. 402(2015) the court found most time bars are non jurisdictional unless Congress states otherwise.

This matter warrants reconsideration or reversal, and that extraordinary circumstances also exist to support sua sponte action finding abuse of discretion and permitting the appeal of denial of appellants FRCP 60 motion.

/s/ Mark Mazza
MARK MAZZA

/s/ Lisa Mazza
LISA MAZZA

Certificate of Service

Hereby certify the attached was served on those parties listed below as noted the Cm/Ecf system for this case.

Joseph Riga ,Esq
McDowell Law ,P.C.
46 West Main St
Maple Shade, N.J. 08052

/s/ Mark Mazza
MARK MAZZA