

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

NAQUEA ELAINE JOHNSON,  
*Petitioner,*

v.

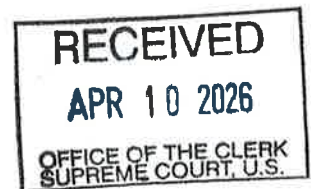
NEW JERSEY, ET AL.,  
*Respondents.*

Case No. 25-6617

**APPLICATION TO EXTEND TIME TO COMPLY WITH THE  
COURT'S ORDER DENYING LEAVE TO PROCEED  
IN FORMA PAUPERIS**

Naquea Elaine Johnson  
*Pro Se Petitioner*  
PO Box 3011  
Norfolk, VA 23514  
[jkcmonroe@gmail.com](mailto:jkcmonroe@gmail.com)  
973-397-0909

Pursuant to Supreme Court Rule 30.4, Petitioner Naquea Elaine Johnson respectfully applies for a 60-day extension of time, to and including June 12, 2026, within which to comply with this Court's March 23, 2026, Order directing payment of docketing fees pursuant to Rule 38(a).



## I. THE ORDER AT ISSUE

On March 23, 2026, this Court denied Petitioner's motion for leave to proceed in forma pauperis and directed payment of docketing fees by April 13, 2026. Petitioner has simultaneously filed a Motion for Reconsideration of that Order pursuant to Supreme Court Rule 44.1, which remains pending before this Court.

## II. REASONS FOR THE REQUESTED EXTENSION

### A. Motion for Reconsideration Is Pending.

Petitioner's Motion for Reconsideration of the March 23, 2026, Order remains pending and unresolved. That motion challenges the IFP denial on the ground that the March 23 Order does not reflect the individualized constitutional analysis required by *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), before IFP may be denied in a parental rights case.

The significance of that pending motion is underscored by this Court's decision in *Coney Island Auto Parts Unlimited, Inc. v. Burton*, decided January 20, 2026, the same day this Court docketed Case No. 25-6617. In that decision, this Court held that Rule 60(b)(4) motions challenging void judgments must be filed within a reasonable time, but expressly noted that a party could overcome that requirement by showing 'that some principle of law, such as the Due Process Clause, gives a party the right to allege voidness at any time', an argument the Court found Coney Island had

disclaimed. Petitioner does not disclaim that argument. The Due Process Clause requires tolling where, as here, the full scope of the jurisdictional fraud was not discoverable due to the active concealment of New Jersey Division of Child Protection and Permanency (DCPP) records, altered transcripts, and disappeared court filings by the very parties being challenged. The transcript company further misled Petitioner by characterizing the criminal classification of those proceedings as a mere typographical error, when in fact it was not. The proceedings were intentionally filed under a criminal classification, as evidenced by: a Norfolk Family Court detective allegedly stating that a mention of custody interference could make Petitioner turn over her son; a New Jersey judge warning Petitioner she may face arrest if she did not comply with the order; an April 11, 2018 order bearing a stamp stating '**POLICE ASSISTANCE IN ENFORCING THIS ORDER**'; and a Virginia judicial officer denying Petitioner access to the courts and instructing her to 'fight it up there', all elements of criminality in an interstate child removal conducted under the guise of custody proceedings, with no federal protections afforded. DCPP records remain withheld to this date.

If the Motion for Reconsideration is granted, the compliance obligation imposed by the March 23 Order will be vacated. Requiring compliance before that motion is resolved would effectively moot the reconsideration motion and risk

irreversible forfeiture of Petitioner's right to seek review while a meritorious constitutional challenge remains pending.

**B. Financial Hardship Prevents Timely Compliance.**

The March 23 Order did not apply the individualized financial analysis *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), requires before IFP may be denied in a parental rights case. *M.L.B.* requires case-specific inquiry, not categorical denial. Four specific factors the Court was required to examine were not addressed:

**First**, Petitioner is subject to mandatory bi-weekly child support deductions of \$276.92 extracted under jurisdictionally void orders, the very orders her civil rights case seeks to challenge under *Kalb v. Feuerstein*, 308 U.S. 433 (1940), which established that void orders may be challenged at any time. Money extracted by court order is not discretionary income available for filing fees. The IFP denial forecloses the only forum capable of reaching the merits of those void orders, the systematic foreclosure of access that *Kalb* and *M.L.B.* were written to prevent. DCPD records documenting the basis for their involvement remain withheld to this date, records that courts have declined to require produced, and whose concealment prevented Petitioner from discovering the full scope of the jurisdictional fraud until October and November 2024.

**Second**, Petitioner's Chapter 7 bankruptcy was discharged in July 2024 following complete judicial examination of her financial circumstances. This is a

federal court's own finding of financial insolvency, an objective, court-verified determination that this Court cannot disregard without explanation. The March 23 order does not reference it.

**Third**, the \$300 docketing fee alone constitutes a hardship. The additional cost of Rule 33.1 compliant printing is an added expense that cannot be accumulated within the current deadline given Petitioner's documented financial circumstances.

**Fourth**, this case arises from proceedings that separated Petitioner from J.A.O., who will turn nine on April 20, 2026, and who resided in Norfolk, Virginia as an eleven-month-old infant when New Jersey initiated proceedings in April 2018. Petitioner has not seen her son in person in almost three years, not because a visitation order does not exist, but because that order cannot be safely exercised. Law enforcement was weaponized in the original removal. DCPD records documenting whatever was alleged against Petitioner remain concealed to this date. Petitioner has never been given the opportunity to confront or respond to what those records contain. Exercising visitation under those conditions, with concealed allegations, demonstrated law enforcement involvement, and no access to the records being used against her, creates ongoing risk of further harm with no ability to defend against it. This is constructive termination of parental rights: not through a signed order, but through a system that created a visitation order while simultaneously ensuring it could never safely be used. The parental liberty interest at stake places this matter squarely within

the constitutional framework *M.L.B.* established, a framework the March 23 order did not apply.

A 60-day extension would allow resolution of the pending Motion for Reconsideration and permit this Court to address the unresolved constitutional questions this case presents, including whether the Due Process Clause requires tolling when information was deliberately withheld by the parties being challenged.

**C. The Extension Will Not Prejudice Any Party.**

Respondents have entered no appearance in this matter and filed no response through the February 19, 2026, response deadline. Their silence has been consistent across every level of this litigation, no response in the Fourth Circuit, no response before this Court, and no formal recusal by Virginia Attorney General Jay Jones, who was inaugurated by his mother, a named defendant in Petitioner's underlying federal civil rights action, and who continues to represent the Commonwealth without disclosure or substitution of counsel. No party will be prejudiced by a 60-day extension of the compliance deadline. The party who has litigated this matter at every level, at every cost, is Petitioner, and she is the one denied access.

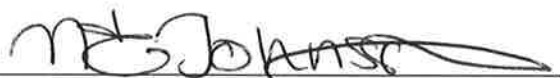
**III. RELIEF REQUESTED**

Within the 60-day extension period, Petitioner intends to: (1) await resolution of the pending Motion for Reconsideration, which if granted will vacate the

compliance obligation entirely; (2) in the event reconsideration is denied, accumulate the funds required for the \$300 docketing fee from available income after mandatory court-ordered deductions; (3) obtain Rule 33.1 compliant printing quotes and arrange for production of the required booklet-format documents, the cost of which typically exceeds \$1,000 depending on page count; and (4) allow sufficient time for the Office of the Virginia Attorney General to formally recuse itself from this matter, a recusal that has not been entered as of the date of this application, despite the facial conflict arising from Attorney General Jay Jones's mother serving as a named defendant in the underlying action. Sixty days is the minimum time necessary to accomplish these steps given Petitioner's documented financial circumstances. The requested extension is modest and consistent with extensions routinely granted in similar circumstances.

Petitioner respectfully requests that this Court extend the deadline to comply with the March 23, 2026, Order by 60 days, to and including June 12, 2026, to allow resolution of the pending Motion for Reconsideration and to permit Petitioner sufficient time to accumulate the funds required for compliance in the event reconsideration is denied.

Respectfully submitted,



Naquea Elaine Johnson

*Pro Se Petitioner*

PO Box 3011

Norfolk, VA 23514

[jkcmonroe@gmail.com](mailto:jkcmonroe@gmail.com)/ 973-397-0909

Date: April 8, 2026

## CERTIFICATE OF GOOD FAITH

I, Naquea Elaine Johnson, Pro Se Petitioner, hereby certify that this Application to Extend Time is presented in good faith and not for the purpose of delay. The grounds stated herein are stated briefly and distinctly and constitute substantial reasons justifying the requested extension, specifically, the pendency of a Motion for Reconsideration raising meritorious constitutional grounds, the documented financial hardship preventing timely compliance, and the unresolved Due Process question presented by this case regarding tolling when information was deliberately withheld by the parties being challenged.



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Naquea Elaine Johnson

*Pro Se Petitioner*

Date: April 8, 2026

**CERTIFICATE OF SERVICE**

I, Naquea Elaine Johnson, hereby certify that on April 8, 2026, I served a copy of the foregoing Application to Extend Time upon the following parties by FedEx:

**Jennifer Davenport, Attorney General of New Jersey**

Office of the Attorney General

Division of Law

State of New Jersey

Richard J. Hughes Justice Complex

25 Market Street

Trenton, NJ 08625

**Jay Jones, Attorney General of Virginia**

Office of the Attorney General

202 North Ninth Street

Richmond, VA 23219

**Solicitor General of the United States**

United States Department of Justice

Office of the Solicitor General

950 Pennsylvania Avenue, NW, Room 5614

Washington, DC 20530-0001

I declare under penalty of perjury that the foregoing is true and correct.



Naquea Elaine Johnson

*Pro Se Petitioner*

Date: April 8, 2026