

App No. _____

In The
Supreme Court of the United States

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WALTER BERNARD,
Applicant,

v.

PHILLIP A. IGNELZI,
Respondent.

◆

On Application for an Extension of Time to File Petition for a Writ of
Certiorari to the United States Court of Appeals for the Third Circuit

◆

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April 13, 2026

Corporate Disclosure Statement

Pursuant to Supreme Court Rule 29.6, Applicant Walter Bernard states that he is an individual and this disclosure statement is not applicable.

To the Honorable Samuel A. Alito, Jr., as Circuit Justice for the United States Court of Appeals for the Third Circuit:

In accordance with this Court's Rules 13.5, 22, 30.2, and 30.3, Applicant Walter Bernard respectfully requests that the time to file his petition for a writ of certiorari be extended for 60 days, up to and including Friday, June 26, 2026. The Court of Appeals issued its opinion on December 31, 2025 (Exhibit A) and denied rehearing en banc on January 27, 2026 (Exhibit B). Absent an extension of time, the petition would be due on April 27, 2026. The jurisdiction of this Court is based on 28 U.S.C. § 1254(1). Counsel for Applicant has contacted counsel for Respondent regarding this request; as of the date of this filing, Respondent's counsel has not replied.

Background

This case presents important questions on the application of absolute judicial immunity: (1) Whether a state judge who personally orchestrated and supervised the warrantless arrest of a litigant in his home by directing law enforcement officers acted in an immune judicial capacity or in a non-immune executive capacity as a de facto sheriff; and (2) Whether judicial immunity shields a state judge who held Applicant in contempt of a discovery order on appeal acted in the clear absence of all jurisdiction under *Stump v. Sparkman*, 435 U.S. 349 (1978) and its progeny.

Applicant Walter Bernard filed suit under 42 U.S.C. § 1983 against Respondent Phillip A. Ignelzi, a judge of the Court of Common Pleas of Allegheny County, Pennsylvania. On March 25, 2023, Applicant filed a collateral appeal to the

Superior Court of Pennsylvania challenging a discovery order issued by Respondent. Notwithstanding that appeal—which divested Respondent of jurisdiction over the discovery order under Pennsylvania Rule of Appellate Procedure 1701(a)—Respondent on May 3, 2023, personally orchestrated and supervised the warrantless arrest of Applicant by police at his home. Law enforcement officers told Applicant that “the Judge just wanted to see” him. The following day, Respondent issued a new discovery order on the same matter pending before the Superior Court. On May 16, 2023, Respondent held Applicant in contempt for violating that order. While a subsequent appeal was pending, Applicant was again arrested at the courthouse on August 9, 2023, and incarcerated for 19 days at Respondent’s direction.

Applicant filed a Second Amended Complaint in the United States District Court for the Western District of Pennsylvania (No. 2:23-cv-01463). The District Court (Judge William S. Stickman, IV) granted Respondent’s Rule 12 motion and dismissed the complaint on the ground of absolute judicial immunity. Applicant appealed to the United States Court of Appeals for the Third Circuit (No. 25-1245). In a non-precedential opinion issued December 31, 2025, a panel consisting of Judges Krause, Phipps, and Chung affirmed the dismissal. The panel declined to consider Applicant’s argument that Respondent acted in a non-judicial, executive capacity, in orchestrating Applicant’s arrest, deeming it forfeited for not having been raised below. The panel further held that Respondent did not act in “clear absence of all jurisdiction” despite the pending appeal that divested him of

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