

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

CYNTHIA LYNN POLLICK, ESQ.

Petitioner

v.

FORMER CHIEF JUDGE JOHN E. JONES, III C/O

U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Respondent

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

TO THE HONORABLE SAMUEL A. ALITO, JR., ASSOCIATE JUSTICE FOR THE
SUPREME COURT OF THE UNITED STATES AND THIRD CIRCUIT

1. On November 5, 2020, Attorney Pollick made a Judicial Misconduct Complaint against United States District Judge Malachy E. Mannion with the Third Circuit Judicial Council, which was docketed at J.C. Nos. 03-20-90083. (A101-120; A372-375). In turn on February 26, 2021, Judge Mannion made a complaint against Attorney Pollick unbeknownst to her, and Chief Judge John E. Jones, III, started a Middle District Investigation that is the subject of this appeal. The district court case and appeal are both sealed. Petitioner asserts lack of subject matter jurisdiction since 21 MC 154 did not arise from a case before the Middle District along with other errors.

2. “Federal courts are not courts of general jurisdiction; they have only the power that is authorized by Article III of the Constitution and the statutes enacted by Congress pursuant thereto. ... For that reason, every federal appellate court has

a special obligation to ‘satisfy itself not only of its own jurisdiction, but also that of the lower courts in a cause under review,’ even though the parties are prepared to concede it.” *Bender v. Williamsport Area Sch. Dist.*, 475 U.S. 534, 541 (1986)(cleaned up). As correctly noted in *Bui*, “[i]n the absence of jurisdiction, the District Court properly did not reach the merits of Bui’s allegations of attorney misconduct under the local rules and state rules of professional responsibility.” *United States v. Bui*, 674 Fed. Appx. 114 n.2 (3d Cir. 2017). The Middle District did not have jurisdiction to handle any complaint by Judge Malachy E. Mannion about Attorney Pollick because it did not stem from a case before it. Removing Attorney Pollick from practicing before the Third Circuit by suspending her at the district court level provided incentive to neutralize a longstanding threat to Middle District judges and their rulings. As every legal scholar knows, judges do not like being reversed. “Similarly, Posner (1990:224) asserts that judges are ‘highly sensitive to being reversed.’” Joseph L. Smith, *Patterns and Consequences of Judicial Reversals: Theoretical Considerations and Data from a District Court*, 27 *The Justice System Journal* 28 (2006).

3. Starting in the spring of 2020, due to Judge Mannion obtaining the majority of Petitioner’s Federal Complaints, Petitioner stopped filing Federal Complaints in the Middle District of Pennsylvania after almost 199 Federal Complaints in 21 years of practice in the Middle District of Pennsylvania. Petitioner was successful in reversing Middle District judges in the United States Court of Appeals for the Third Circuit 13 times in her career at that point with the first

reversal being Judge John E. Jones, III. *Hill v. City of Scranton*, 411 F.3d 118 (3d Cir. 2005).

4. On August 30, 2024, a panel made of Judge Mannion's colleagues, adopted the November 3, 2021 Report and Recommendation of Civil Defense Attorney Matthew Haar of Saul Ewing to suspend Attorney Pollick for one-year with reinstatement conditions from the United States District Court for the Middle District of Pennsylvania. (A13-14).

5. On February 3, 2026, the United States for the Third Circuit affirmed the disciplinary case but reversed the consolidated civil action 24-cv-259. (See Exhibit A – February 3, 2026 Opinion). Although the opinion is public, the docket is sealed. On February 18, 2026, the Third Circuit denied Petitioner's rehearing request. Therefore, a Petitioner for a Writ of Certiorari is due on May 19, 2026.

6. On Saturday, February 21, 2026 at 9:30 pm, Petitioner was illegally arrested at her home at 11059 Valley View Drive (Newton Township), Clarks Summit, Pennsylvania, by South Abington Police Department and placed in Lackawanna County Prison in solitary confinement upon entry with a "dry cell" on February 22, 2026, without ever having a magistrate judge¹ approve the charges or bail set. Deputy District Attorney Gene Riccardo approved the arrest, which resulted in Sergeant Leonard Harvey using a ballistic shield to Petitioner's bedroom door and her being hogtied in her PJs with handcuffs (not shackles) on her ankles and

¹ Petitioner was seen by a magistrate judge on February 23, 2026, who set monetary secured bail requirements.

handcuffs on her wrists without a warrant. Petitioner was on her bed, and had been sleeping before being awoken by her estranged sister Lisa Lesneski banging on her bedroom door. This was not the first time District Attorney Gene Riccardo prosecuted Petitioner. See *Pollick v. Pennsylvania*, 25-6449.

7. Petitioner requested a public defender application while in prison; however, the prison refused to provide her the same although it was required pursuant to its handbook.

8. On March 4, 2026, Petitioner's preliminary hearing was set to be heard and Petitioner was taken before Magistrate Judge Sean Gallagher, who was the brother of Lackawanna County District Attorney Brian Gallagher, whose office was prosecuting the case. Judge Gallagher requested Petitioner sign a waiver of conflict, which she refused because it was an inherent, structural conflict that would result in the Commonwealth having 67% chance of succeeding versus the normal 50%. If Petitioner was successful in securing a dismissal, that could result in a lawsuit for false arrest against the magistrate's brother-DA Brian Gallagher. Consequently, Judge Gallagher sent Petitioner back to prison.

9. Finally without any notice on March 11, 2026, Petitioner was taken for a preliminary hearing before a different magistrate judge and the Lackawanna County District Attorney's Office withdrew the charges; however, by that point Petitioner's estranged sister and mother, Nancy Ash Pollick, were successful in obtaining PFA's against Petitioner by going to Lackawanna County Family Court on the first business day after the arrest, February 23, 2026, which the court granted

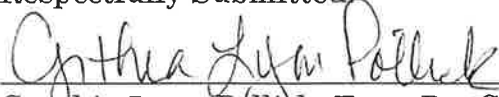
temporary PFAs on February 24, 2026 without hearing from Petitioner. Petitioner was served by Lackawanna Sheriffs that same day yet she was not allowed out of her cell for a shower or any brief period of time to walk outside her solitary cell-P2. See Exhibit B, *Pennsylvania v. Pollick*, Release of Prisoner-Withdrawal of Charges.

10. Due to the PFAs, Petitioner was not allowed back to her deeded home to obtain shoes, winter coat, sweater, pants, makeup, laptop, iPhone, passwords, photo id, social security card, keys to her PO Box and home, etc. Petitioner filed an emergency motion to be allowed to retrieve some belongings on March 13, 2026, but it was not granted. The motion was set to be heard at the same time as the PFA hearing, which was 44 days after the PFA filing in violation of 23 Pa. C.S.A. 6107.

11. Since Petitioner was illegally incarcerated for 18 days and not allowed back to her home to gather some of her belongings and necessary equipment to file a petition for writ of certiorari, justification exists for this Court to grant an extension.

12. For the foregoing reasons and good cause shown, Petitioner respectfully requests that this Court grant this application for an extension of time to file a petition for writ of certiorari.

Respectfully Submitted:



Cynthia Lynn Pollick, Esq., *Pro Se*

PO Box 724

Clarks Summit PA 18411

Dated: 4/13/26

Pollick v. Haar

United States Court of Appeals for the Third Circuit

September 15, 2025, Submitted Under Third Circuit L.A.R. 34.1(a); February 3, 2026, Opinion Filed

Nos. 24-2334 & 24-2833

Reporter

2026 U.S. App. LEXIS 3712 *; 2026 LX 47671

CYNTHIA L. POLLICK, Appellant in No. 24-2334 v. MATTHEW M. HAAR; SAUL EWING LLP; In re: CYNTHIA L. POLLICK, Esq., Appellant in No. 24-2833

Notice: NOT PRECEDENTIAL OPINION UNDER THIRD CIRCUIT INTERNAL OPERATING PROCEDURE RULE 5.7. SUCH OPINIONS ARE NOT REGARDED AS PRECEDENTS WHICH BIND THE COURT.

PLEASE REFER TO FEDERAL RULES OF APPELLATE PROCEDURE RULE 32.1 GOVERNING THE CITATION TO UNPUBLISHED OPINIONS.

Prior History: [*1] On Appeal from the United States District Court for the Middle District of Pennsylvania District Judge: Honorable Matthew W. Brann in D.C. No. 1:24-cv-00259. District Judges: Honorable Christopher C. Conner, Honorable Yvette Kane, Honorable Jennifer P. Wilson in D.C. No. 1:21-mc-00154.

Pollick v. Haar, 2024 U.S. Dist. LEXIS 132950, 2024 WL 3548773 (M.D. Pa., June 28, 2024)

Pollick v. Haar, 2024 U.S. Dist. LEXIS 75187, 2024 WL 1807949 (Apr. 25, 2024)

Judges: Before: RESTREPO, McKEE, and RENDELL, Circuit Judges.

Opinion by: McKEE

Opinion

OPINION*

McKEE, *Circuit Judge*.

Cynthia Lynn Pollick appeals her one-year suspension from the practice of law in the United States District Court for the Middle District of Pennsylvania, pursuant to its Local Rule 83.24.4.

During the course of the disciplinary proceeding in federal court, Pollick filed a praecipe for writ of summons in the Dauphin County Court of Common Pleas against Attorney Matthew Haar, court-appointed investigative counsel in the disciplinary matter, and his employer, Saul Ewing LLP (collectively, "Defendants"), charging them with violating the Pennsylvania Criminal History Records Information Act ("CHRIA"). However, she only asserted those charges in the cover sheet that accompanied the praecipe. Defendants removed the civil matter to the District Court. Pollick appeals the District Court's orders denying her motion to remand the civil matter to [*2] state court and dismissing the matter with prejudice under Rule 41(b).

For the reasons set forth below, we will affirm the disciplinary sanction and remand Pollick's civil matter to the District Court with instructions to remand to state court.

I.¹

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

Exhibit A

We review a district court's finding of attorney misconduct and imposition of sanctions for abuse of discretion.² "[A] court abuses its discretion in imposing sanctions when it 'base[s] its ruling on an erroneous view of the law or on a clearly erroneous assessment of the evidence.'"³ "[W]e perceive our role in reviewing the district court's action to be extremely limited."⁴

Pollick's primary contention rests on the flawed assertion that the District Court does not have the authority to investigate and suspend her because the Pennsylvania Disciplinary Board has exclusive authority over attorney discipline. She claims that the District Court does not have the authority to: (1) investigate and suspend her because the conduct did not arise from a case, (2) discipline her when the Board found her fit to practice law, (3) appoint Attorney Matthew Haar to investigate her, or (4) order a mental health evaluation as a condition of reinstatement.

Additionally, [*3] she claims that the District Court erred by: (1) handling internally the complaint of a sitting judge; (2) failing to apply collateral estoppel to the Board's finding of fitness; (3) "transform[ing] personal conduct into attorney misconduct to sustain a recommended suspension that will have reciprocal consequences in [the Third] Circuit along with all federal courts"; (4) admitting evidence in violation of the First Amendment and CHRIA, by using against her (a) speech during her arrest for domestic disturbance when "she was not speaking as an attorney," and (b) speech and conduct while appearing pro se in a personal matter. Appellant's Opening Br. 2-3. The validity of Pollick's arguments depends on the propriety of the District Court's authority. The disciplinary sanction was grounded in the Middle District's Local Rules of Court. Because those rules were properly applied to Pollick's conduct, her arguments fail.

The District Court did not abuse its discretion by sanctioning Pollick for attorney misconduct. Admission to practice before a federal court is a separate privilege from *state* licensure.⁵ This is necessarily true because federal courts possess inherent authority to regulate attorneys admitted [*4] to their bar.⁶ Thus, "[t]he [Middle District of Pennsylvania] has the inherent authority to set requirements for admission to its bar and to discipline attorneys who appear before it."⁷ Its Local Rule of Court 83.23.2 provides:

[a]cts or omissions by an attorney admitted to practice before this court, individually or in concert with any other person or persons, which violate the Rules of Professional Conduct adopted by this court, shall constitute misconduct and shall be grounds for discipline, whether or not the act or omission occurred in the course of an attorney-client relationship.⁸

Attorneys practicing in the Middle District of Pennsylvania are also subject to Pennsylvania's Rules of Professional Conduct and the Middle District's Code of Professional Conduct and may be subject to discipline for violations of

¹ We have jurisdiction to review a final order of the District Court pursuant to 28 U.S.C. § 1291.

² See *Adams v. Ford Motor Co.*, 653 F.3d 299, 303-04, 55 V.I. 1310 (3d Cir. 2011).

³ *Id.* at 304 (quoting *Bowers v. Nat'l Collegiate Ath. Ass'n*, 475 F.3d 524, 538 (3d Cir. 2007)).

⁴ *In re Surrick*, 338 F.3d 224, 232 (3d Cir. 2003) (quoting *In re Abrams*, 521 F.2d 1094, 1101 (3d Cir. 1975)).

⁵ *Surrick v. Killion*, 449 F.3d 520, 529 (3d Cir. 2006) (citing *Theard v. United States*, 354 U.S. 278, 281, 77 S. Ct. 1274, 1 L. Ed. 2d 1342 (1957) ("Although federal courts have traditionally used admission to the bar of a state court as a standard for initial admission to their bars, admission to practice law before a state's courts and admission to practice before the federal courts in that state are separate, independent privileges.")).

⁶ *In re Snyder*, 472 U.S. 634, 643, 105 S. Ct. 2874, 86 L. Ed. 2d 504 (1985).

⁷ *In re Surrick*, 338 F.3d at 229 (citing *In re Mitchell*, 901 F.2d 1179, 1183 (3d Cir. 1990); *In re Abrams*, 521 F.2d at 1099).

⁸ M.D. Pa. LR 83.23.2.

these rules. The Middle District may address allegations of misconduct that do not arise from a case or controversy pursuant to its Local Rule of Court 83.24.1, which provides:

When misconduct or allegations of misconduct which, if substantiated, would warrant discipline on the part of an attorney admitted to practice before this court shall come to the attention of a judge of this court, whether by complaint or otherwise, and the [*5] applicable procedure is not otherwise mandated by these rules, the judge shall refer the matter to counsel for investigation and the prosecution of a formal disciplinary proceeding or the formulation of such other recommendation as may be appropriate.⁹

The District Court is obviously obligated to follow its own procedural rules. Those rules include a mechanism for ensuring impartiality when addressing internal complaints. They state: "if the disciplinary proceeding is predicated upon the complaint of a judge of this court the hearing shall be conducted before a panel of three other judges of this court appointed by the chief judge[.]"¹⁰

Although comity counsels some deference to state disciplinary outcomes, we have held that such determinations do not bind federal courts.¹¹ Thus, the Middle District may discipline attorneys, independently, even if the State Board has found an attorney fit to practice law. Therefore, the District Court's disciplinary order did not exceed its authority.

II.¹²

Pollick argues that the District Court erred by refusing to remand the writ of summons since no state complaint existed to evaluate subject matter jurisdiction pursuant to the well-pleaded complaint [*6] rule. Pollick is correct.

Under the federal officer removal statute, federal courts have jurisdiction over civil actions directed at "[a]ny officer of the courts of the United States, for or relating to any act under color of office or in the performance of his duties."¹³ Section 1446(b)(3) provides that "if the case stated by the initial pleading is not removable, a notice of removal may be filed within 30 days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable."¹⁴

Here, there was no state complaint that would have provided a basis for the District Court to evaluate its subject-matter jurisdiction. Absent one, we cannot "discern a causal nexus between any actions that the defendant may have taken as a federal judicial officer and the plaintiff's yet unknown claims."¹⁵ Mere suspicion or conjecture that Pollick's claims against Defendants arose out of Haar's duties as investigative counsel will not suffice.¹⁶

⁹ M.D. Pa. LR 83.24.1.

¹⁰ M.D. Pa. LR 83.24.4.

¹¹ *In re Abrams*, 521 F.2d at 1100; *see also Theard*, 354 U.S. at 282.

¹² We have jurisdiction under 28 U.S.C. § 1447(d) and, because Pollick's civil action was removed under the federal officer removal statute, 28 U.S.C. § 1442, we can review all grounds raised for removal. *See BP P.L.C. v. Mayor & City Council of Balt.*, 593 U.S. 230, 238, 141 S. Ct. 1532, 209 L. Ed. 2d 631 (2021). We review issues of subject matter jurisdiction de novo. *Maglioli v. All. HC Holdings LLC*, 16 F.4th 393, 403 (3d Cir. 2021) (citation modified).

¹³ 28 U.S.C. § 1442(a)(3).

¹⁴ 28 U.S.C. § 1446(b)(3); *Sikirica v. Nationwide Ins. Co.*, 416 F.3d 214, 223 (3d Cir. 2005) ("[A] writ of summons alone can no longer be the 'initial pleading' that triggers the 30-day period for removal under the first paragraph of 28 U.S.C. § 1446(b).").

¹⁵ *Conklin v. Kane*, No. 13-cv-1531, 2013 U.S. Dist. LEXIS 121593, at *3 (M.D. Pa. Aug. 27, 2013).

¹⁶ *Id.* at *2.

Defendants argue that Pollick's testimony in the disciplinary action provided the basis for the District Court's jurisdiction over the civil [*7] action. Testimony, even if it provides a rational basis to infer claims, is not a pleading, motion, order, or other paper "filed with [the] court" as required to trigger the thirty-day removal period under Section 1446(b)(3).¹⁷ The basis for Pollick's assertion of state claims against Defendants is not at all clear.¹⁸ Thus, remand of the removed state writ of summons to state court is proper.

III.

For the foregoing reasons, we will affirm the District Court's disciplinary order and remand Pollick's civil matter to the District Court with instructions to remand to state court.

JUDGMENT

The District Court's April 25, 2024 order denying Appellant's motion to remand her civil matter to state court and the District Court's June 28, 2024 order dismissing the matter with prejudice are REVERSED and REMANDED for further proceedings with instructions to remand to the state court.

Each party to bear its own costs.

All of the above in accordance with the opinion of this Court.

This cause came to be considered on the record from the United States District Court for the Middle District of Pennsylvania and was submitted under Third Circuit L.A.R. 34.1(a) on September 15, 2025.

Dated: February 3, 2026

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¹⁷ See *Foster v. Mut. Fire, Marine & Inland Ins. Co.*, 986 F.2d 48, 54 (3d Cir. 1993), *rev'd on other grounds*, *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 119 S. Ct. 1322, 143 L. Ed. 2d 448 (1999) (citing *Rowe v. Marder*, 750 F. Supp. 718, 721 n.1 (W.D. Pa. 1990), *aff'd*, 935 F.2d 1282 (3d Cir. 1991)) ("We also explicitly adopt the rationale of the *Rowe* court that 'at a minimum, anything considered a pleading must be something of the type filed with a court.'").

¹⁸ The cover sheet filed with the writ of summons stated that the action was based on an alleged violation of CHRIA. However, Defendants contend that they did not receive that cover sheet until after this matter was removed to federal court.



Mag. Dist No: MDJ-45-0-00
 MDJ Name: Honorable Lackawanna County Central Court
 Address: MDJ 45-0-00
 1360 Wyoming Avenue
 Scranton, PA 18509
 Telephone: 570-963-6436

CW
v.

CYNTHIA PALLOU

Docket No:

Case Filed:

OTN:

G-1017741-4

RA/DC / T. TREATS Charge(s)

To the keeper of _____ Prison in said County,
 You are hereby commanded to release the above named Defendant, if detained for no other cause than that mentioned in the attached commitment or other detainer of record. I hereby certify that this case has not been returned to court.

REASON FOR DISCHARGE:

Hearing to be held at: _____

Date:	Place:
Time:	

- Not Guilty of a Summary Offense
- Court Case Dismissed
- Charges withdrawn by Prosecution
- Other _____

Bail Posted. I hereby certify that the bail posted fully satisfies the monetary conditions set.

3-11-26
 Date
[Signature]
 Magisterial District Judge



If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.



Exhibit B

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Cynthia Lynn Pollick, Esq. — PETITIONER
(Your Name)

VS.

Former Chief Judge John E. Jones, III — RESPONDENT(S) c/o U.S. District Court for the Middle District of Pennsylvania

PROOF OF SERVICE

I, Cynthia L Pollick, do swear or declare that on this date, April 13, 2026, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and ~~PETITION FOR A WRIT OF CERTIORARI~~ APPLICATION FOR EXTENSION on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Matthew M. Haer, Esquire
Saul Ewing, 2 North Second Street, 7th Floor
Harrisburg PA 17101

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

Executed on 4/13, 2026

Cynthia L Pollick
(Signature)