

No. _____

IN THE
Supreme Court of the United States

Adam Bereki,
Petitioner.

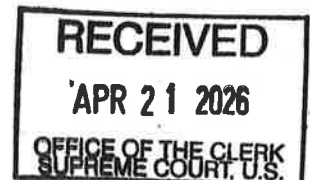
v.

Court of Appeal, Fourth Appellate District, Division
Three et al,
Respondents.

Gary Humphreys et al
(Real Parties In Interest)

**APPLICATION FOR AN EXTENSION OF TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI**

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 29.6, no disclosure is required.

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

To the Honorable Elena Kagan, as Circuit Justice for the United States Court of Appeals for the Ninth Circuit:

In accordance with this Court's Rules, Applicant Adam Bereki respectfully requests that the time to file his petition for a writ of certiorari be extended for 60 days, up to and including Monday, June 22, 2026. This extension is sought solely on his behalf.

The judgment sought to be reviewed is the January 21, 2026 order of the Supreme Court of California, En Banc, denying Applicant's petition for writ of mandate and application for stay in Case No. S294386. Exhibit A. Chief Justice Guerrero signed the denial. The Supreme Court of California is the court of last resort of the State of California. Absent an extension of time, the petition for a writ of certiorari would be due on April 21, 2026. Applicant files this Application on April 9, 2026, more than ten days before that date. The jurisdiction of this Court is invoked under 28 U.S.C. §1257(a), which confers jurisdiction to review final judgments or decrees rendered by the highest court of a State in which a decision could be had. This request is filed in good faith and not for purposes of delay.

BACKGROUND

This case arises from the enforcement of California Business and Professions Code §7031, under which the Orange County Superior Court entered judgment against Applicant in 2017 for approximately \$930,000 for allegedly unlicensed contracting — 1,240 times the average criminal fine authorized for the same conduct under §7028. The Fourth District Court of Appeal affirmed in 2018. No court adjudicated whether constitutional authority to impose that result existed. The forfeiture was prosecuted entirely by private plaintiffs who were awarded 100% of the condemned proceeds, without proof of harm, without criminal procedure, and without any judicial determination of the constitutional predicate for punishment.

The constitutional questions presented include: (1) whether Article I, §10's prohibition on bills of pains and penalties bars enforcement of mandatory total forfeiture triggered solely by legislative status classification, without proof of harm, wrongdoing, or adjudicated constitutional authority; (2) whether a court exercises judicial power when it enforces legislatively mandated punishment while declining to determine whether constitutional authority for that punishment exists; (3) whether the Constitution imposes a non-discretionary duty on executive officers to meaningfully determine a citizen's bona fide complaint that property and liberty are being taken pursuant to a judgment void for lack of constitutional authority; (4) whether the right to petition for redress of grievances is violated where every branch refuses to provide any forum capable of determining whether constitutional authority exists; and (5) whether this Court's review is compelled where the constitutional

predicate for punishment has never been adjudicated in **any** forum, state or federal, and no other court retains jurisdiction to supply that adjudication. The constitutional predicate for this \$930,000 forfeiture has never been adjudicated across fourteen proceedings, nearly ten years, and thirty-one judges.

The constitutional predicate for the \$930,000 judgment has additionally been undermined by this Court’s intervening authority. In *Liu v. SEC*, 591 U.S. 71 (2020), this Court held that equitable disgorgement is limited to a defendant’s net profits after deduction of legitimate expenses, and that total forfeiture without such deductions is punitive rather than remedial. The Fourth District’s 2018 affirmance rested entirely on characterizing the §7031 forfeiture as an “equitable remedy” and “disgorgement” — the precise label *Liu* holds cannot attach to a total forfeiture where no offsets are permitted. Relying on *Liu*, Petitioner returned to the California courts in 2025 seeking vacatur. The courts applied res judicata and refused adjudication — expressly conceding that res judicata does not bar relief from a void judgment, yet declining to decide voidness. Whether a state court may use res judicata to insulate a judgment whose equitable justification has been rejected by this Court in intervening precedent — particularly where the challenge goes to subject-matter jurisdiction — is an unresolved Supremacy Clause question this petition will present.

Three related petitions present the same or closely related constitutional questions arising from the same and different procedural postures and statutory schemes: *Tin Vo v. Court of Appeal, Fourth Appellate District* (Case No. G066511); *Pier Pjerin Prenga v. Court of Appeal, Second Appellate District* (Case No. B352022);

and *Adam Berekı v. Supreme Court of California* (Case No. S294339). The petitioners in these proceedings are coordinating the presentation of their respective petitions, as described in Section III below.

REASONS FOR GRANTING AN EXTENSION OF TIME

I. This Court Is Scheduled to Hear Oral Argument in FCC v. AT&T, Inc. on April 21, 2026 — the Current Due Date for This Petition.

This Court is scheduled to hear oral argument on April 21, 2026 — the current due date for this petition — in *Federal Communications Commission v. AT&T, Inc.*, No. 25-406, and *Verizon Communications Inc. v. Federal Communications Commission*, No. 25-567 (consolidated). Those cases present the question whether civil-labeled monetary penalties imposed without jury trial violate the Seventh Amendment — the same foundational boundary between civil regulation and punitive sanction that this petition will present in a context neither the *FCC* cases nor any prior decision of this Court has reached.

This petition presents that boundary question in its most extreme form: a mandatory total forfeiture of \$930,000 — 1,240 times the criminal fine for the same conduct — prosecuted by a private party acting entirely for private financial benefit, retaining 100% of the condemned proceeds, with no government party, no prosecutorial oversight, and no court ever having determined whether constitutional authority to impose that result existed. Whatever constitutional limits the Court articulates in the *FCC* cases will govern the less extreme end of the civil-punitive spectrum. This petition presents the far end of that spectrum, where the

constitutional requirement of prior adjudication is most clearly implicated and most completely absent. Applicant requires time after the April 21 argument to review the questions the Justices posed and the framework the argument reveals before finalizing the presentation of the constitutional questions in this petition. This is not a request for time to develop legal theory. It is a request for time to ensure that the petition presents the questions with the precision this moment in the Court's deliberations requires.

II. Members of This Court Have Expressly Called for Examination of the Questions This Petition Presents

Justice Thomas, concurring in the denial of certiorari in *Leonard v. Texas*, 580 U.S. 1178 (2017), called for a case examining whether modern civil forfeiture practices can be reconciled with founding-era historical tradition. In *Culley v. Marshall*, 601 U.S. 377 (2024), Justice Gorsuch joined that call. Justices Sotomayor, Kagan, and Jackson dissented in *Culley* to catalogue systemic abuses of civil forfeiture and call for more protective constitutional standards. Five Justices of this Court have independently identified the national constitutional problem this petition is designed to answer. A complete and carefully prepared petition — one that accurately presents the constitutional predicate, the full procedural history, the relationship to the *FCC* cases argued on April 21, and the coordination among four concurrently filed petitions — will materially assist the Court in evaluating whether to grant review. An extension of 60 days will enable Applicant to provide that petition.

III. Coordination Among Four Concurrently Filed Related Petitions Requires Additional Time.

Four petitions to be concurrently filed with this Court present overlapping constitutional questions arising from procedural postures under multiple California statutory enforcement schemes. The petitioners in these proceedings are working together to coordinate the presentation of their respective petitions — ensuring that the Court receives a coherent and non-duplicative picture of the full constitutional architecture while each petition remains independently complete and accurately grounded in its own record. That coordination requires careful allocation of questions, consistent treatment of shared legal arguments, and sequencing of presentation across four separate filings with deadlines running from April 21 through May 6, 2026. Accomplishing that coordination while simultaneously preparing this petition under the current April 21 deadline is not practicable. An extension of 60 days is necessary to permit the coordination to be completed and each petition to be prepared to the standard these questions demand.

IV. Applicant Is Proceeding Pro Se in a Case of Exceptional Constitutional Complexity.

Applicant is proceeding pro se. The petition presents nine major constitutional questions spanning Article I, §10's prohibitions on bills of pains and penalties and laws impairing the obligation of contracts; structural separation-of-powers claims arising from the systematic non-adjudication of the constitutional predicate for punishment across all three branches of California government; due process and

right-to-petition claims; and the constitutionality of the presumption of constitutionality as applied to eliminate the government's burden of demonstrating delegated power. The record spans nearly ten years, fourteen court proceedings, and thirty-one state and federal judges. Preparing a petition that accurately and concisely presents these questions in conformity with this Court's Rules requires substantial time that Applicant, acting without counsel under the current deadline, does not have. Applicant is unrepresented because he cannot afford counsel: the enforcement chain this petition challenges destroyed his livelihood through automatic license suspension under §7071.17 and the denial of judicial adjudication at every level left no forum in which that deprivation could be remedied. The constitutional injury and the absence of counsel are the same wrong.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that the time to file his petition for a writ of certiorari in the above-captioned matter be extended 60 days, to and including Monday, June 22, 2026.

Dated this 9th day of April, 2026.

Respectfully filed,



Adam Bereki

Exhibit A

SUPREME COURT
FILED

JAN 21 2026

Jorge Navarrete Clerk

S294386

IN THE SUPREME COURT OF CALIFORNIA

Deputy

En Banc

ADAM BEREKI, Petitioner,

v.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT, DIVISION THREE et al.,
Respondents;

GARY HAMPHREYS et al., Real Parties in Interest.

The request for judicial notice is granted.

The petition for writ of mandate and application for stay are denied.

GUERRERO
Chief Justice

CERTIFICATE OF SERVICE

As required by Supreme Court Rule 29.5, I, Pier Pjerin Prenga, declare under penalty of perjury that on April 16, 2026, one copy of the Application for Extension of Time to File Petition for Writ of Certiorari (Case No. S294386) was served by United States Mail, first-class postage prepaid, on the following:

Clerk of the Court
Supreme Court of California
350 McAllister Street
San Francisco, CA 94102
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Counsel for Real Parties in Interest Karen Humphreys and Gary Humphreys

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Signed on April 16, 2026, at Los Angeles California.



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