

IN THE UNITED STATES SUPREME COURT

Walter Lawrence Kenney
Petitioner/Plaintiff PRO SE

April 26, 2026

V.
GREGORY SAMPSON, Warden, et al.
Defendants

Case Nos. 18 CR 2932-10 (Trial Ct)
Ga Supreme Ct. - S 25 H0995; S 25 T0801
Fed. District Ct. - 1:25-CV-04529 ELR;
1:22-CV-0854. Dooly County 24 DV-0034

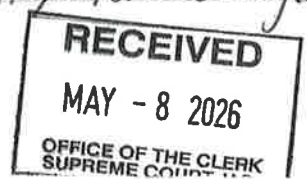
MOTION TO REQUEST EXTENSION

Petitioner's Application for a Certificate of Probable Cause to appeal the denial of his Habeas Corpus petition in Dooly County Georgia was denied by the Ga. Supreme Court on February 17, 2026 for no sound legal reason, nor for any stated reason at all. In fact Petitioner has been sorely deprived of any DUE PROCESS or hearing on any of his legally valid and strong legal issues on direct appeal since this case began, except for a one-sided MOTION FOR NEW TRIAL hearing before the same corrupt and very biased judge of the trial court, due to contrived devices of procedural defaults, which were 100% caused by the State by delaying pick up and delivery of the outgoing mail, causing Petitioner's Notice of Appeal to be delivered 65 days late, after which his Motion for Out of Time Appeal was denied by the same judge simply because he was "PRO SE," and hence by every judge since, in both State and Federal courts on Habeas Corpus.

In addition, there was a decision made by Judge Eleanor Ross in Fed District Court in Atlanta on an unrelated case where Petitioner had attempted to recoup (1/6/26) his losses of \$25,700 in Social Security funds due to identity theft assisted by a bank manager who had no valid account agreement with Petitioner, disqualifying me from proceeding in forma pauperis under the "3 strikes" provision of the PLRA which Petitioner contends is yet another contrived device to deny him of DUE PROCESS where none has been afforded previously since he has been incarcerated to begin with. The three strikes cited in that decision were all cases that had been presented to that same court of Judge Ross before Petitioner was falsely convicted in the present criminal case, and dismissed for "failure to state a claim," with one being appealed to the 11th Circuit and dismissed as "frivolous" (case no. 20-10380A), with the other 2 case nos. being "1:19-CV-2210-ELR, and 1:19-CV-2211-ELR."

Petitioner is quite sure he never failed to state a claim in any of the three, and is also sure there was nothing frivolous about the first case mentioned, which was filed to contest a wrongful foreclosure on his house by PennyMac, who failed to rebut a Notarized Affidavit of Fraud and Demand for PROOF OF CLAIM, which was then filed in the property records of DeKalb County with Notice of Administrative Default, to claim title, before a change

(1)



in the law away from the Constitution with an EX POST FACTO ruling by the Georgia Supreme Court in the case of You v. J.P. Morgan Chase in 2013, long after Petitioner had put the "pretender-lender" in default, which case changed the law in favor of the banks by ruling that they no longer had to have the original promissory note to prove any validity to the debt. However the contract was still an invalid FRAUD due to the fact there was NO CONSIDERATION given - only fiat money with NO INTRINSIC VALUE.

So, Petitioner is asking for an exception to Judge Ross's ruling of January 6, 2026 declaring him subject to the 3 strikes provision of the PLRA in case no. 1:25-cv-04529 ELR, to allow him to proceed with his Petition for Certiorari here, in the belief that "No rights can be acquired by FRAUD", see U.S. v. Jerome Daly 481 F.2d 28, 171 N.W.2d 818, 284 Minn. 567 (1969)

Petitioner is also concerned about whether the precedent set by this court in Rogers v. Tennessee, 532 U.S. 451, 121 S.Ct. 1893, 149 L.Ed2d 697 (2001) is meant to be the precedent for EX POST FACTO laws in all cases, as it is his belief that this was not the intention of the founders or framers of the Constitution, who never would have probably even imagined a day for judges to make laws from the bench - which Petitioner believes is "legislation without representation" - one of the very things the American revolution was against, which is why the Constitution doesn't expressly forbid it. In a dissent by Judge Scalia, he said "At the time of the framing of the Constitution, it was widely accepted that courts could not change the law."

In Petitioner's case there are actually two ways he has been extremely affected by the slippery slope this precedent has created. In addition to the wrongful foreclosure case I was pursuing in Federal court before the EX POST FACTO change in the law of 2013, the trial judge made an ex post facto ruling in my case by appointing a public defender I didn't ask for on my appeal, just so she could declare all my post-trial motions invalid because I had a lawyer after the appointment on March 22, 2019 but after I had gone through a Faretta hearing to represent myself at trial when she had refused to appoint me another trial lawyer. She specifically ruled that all my motions filed since August 2018 thru December 2018 would be invalid due to this March 22nd appointment. One of the most important of these motions was for discovery for proof of jurisdiction and a valid indictment per Maine v. Thiboutot, 100 S.Ct. 2502 (1980), which says "The LAW provides that once State and Federal jurisdiction has been challenged, it must be proven." The law in Georgia also requires that an indictment has to be returned in open court and recorded in the minutes, per O.C.G.A. §§ 15-6-61 and 15-2-74 and Zugar v. State, 194 Ga. 285 (2013), in order to be valid. Neither of these was done in my case. I also ^{was} told erroneously that having my name portrayed in ALL CAPITAL LETTERS had NO EFFECT on jurisdiction. But I am well schooled on this and have filed 2 notarized AFFIDAVITS OF FRAUD, 1st in 2002, again in 2023, revoking and

Nullifying all one-sided adhesion contracts with any unseen, unknown, or coerced "agreements" I haven't voluntarily, willfully, and knowingly entered into, such as my birth certificate creating a corporation with my same name to make me a "debt slave" (in ALL CAPS), Social Security, Driver's License, etc. Both AFFIDAVITS OF FRAUD were never rebutted, including the last one filed with the trial court, which also documented at least 7 instances of perjury used against me in my criminal trial, and about the same number of "distress bonds" I've discovered that were created to profit from my incarceration which were sold all over the world, irregardless of the fact of no reliable or admissible evidence in my case that I was guilty of any crime whatsoever - only the hearsay from a mentally ill witness, my beloved daughter, who claimed to have been "raped" more than a year after a physical exam proved her to be still a virgin with perfectly intact hymen. The Bible makes it clear, in Deuteronomy 19:15, "You must not convict anyone of a crime on the testimony of only one witness. The facts of the case must be established by the testimony of two or three witnesses."

The reason Petitioner is filing this MOTION TO REQUEST EXTENSION is that he has been subject to frequent and repetitive "lockdowns" on an arbitrary basis recently through NO FAULT of his own due to recent stabbings that have been occurring somewhere else, perpetrated by someone else to injure someone else, which have caused him to be "locked down" in a 3 man room 24/7 for sometimes 7 days or more at a time, when there is nothing he could have done to prevent it, which amounts to cruel and unusual punishment, and also causes him to be denied access to the law library or any suitable space for working on his legal work. This has hampered his progress in being able to prepare his Petition for Certiorari after being continually and abusively denied DUE PROCESS for the last 12 years in regards to the KIDNAPPING of his kids under "color of law" and the loss of all his property due to FRAUD and wrongful foreclosure.

The mismanagement prevalent in this present administration has also interfered with his ability to obtain copies of all his EXHIBITS needed to present his case due to the inability to communicate with the appropriate offices here to get copies made. Petitioner attempted to file for Certiorari here several years ago (2022?) but it was denied because he hadn't exhausted his other remedies with the highest courts.

He has now been denied in both State Supreme and Federal District courts with case nos. listed here, for Habeas Corpus, with no hearing or ruling on any of his issues in either court.

Petitioner believes he can prove beyond a reasonable doubt that he is only incarcerated as a result of crimes committed by the State, in KIDNAPPING his kids under "color of law" with NO PROBABLE CAUSE or JURISDICTION in order to facilitate a race based change in custody in violation of Title VII of the Civil Rights Act of 1964, 42 USC, § 2000(c), which prohibits any

discrimination on the basis of race, age, or national origin by any entity receiving Federal taxpayer funding. I can not only prove that such discrimination has occurred, but that the funding was fraudulently acquired under "family preservation" and "reunification" case plans with criminal intent by the Georgia Dept of Human Resources and DeKalb County Dept. of Family and Children Services to perpetrate a race-based change in custody in violation of Title VII, 42 U.S.C. § 2000(e), which prohibits discrimination against whites as well as non-whites. See Regents of Univ. of California v. Bakke, 438 U.S. 265 (1978), also Bass v. Bd of Cty Comm. 256 F 3d 1075 (11th Cir-2001).

I also have proof that the abduction of my kids into foster care by KIDNAPPING them from school on their 1st day back was ILLEGAL and done with NO JURISDICTION or PROBABLE CAUSE from evidence in the record showing that a 3rd party was attempting to get custody thru DFCS 6 months prior to the KIDNAPPING thru "a close friend in a high position inside DFCS" which she later bragged to me about. This friend also told her that "DFCS was getting \$8000⁰⁰ from the Federal gov't for every month my kids were in their custody" - which ended up being 8^{1/2} months, or 7 years, for a total of at least \$672,000⁰⁰ in taxpayer funds. In a case called "In the Interest of CLC, 299 Ga. App. 729 (2009)" it was held that "If the Petition fails to make VALID allegations of deprivation under O.C.G.A. § 15-11-2 (8), the matter is not a deprivation proceeding within the jurisdiction of the juvenile court. A deprivation petition that is actually a disguised custody matter is outside the subject matter jurisdiction of the juvenile court."

I also have a copy of a court order from the same juvenile court dismissing the petition for deprivation based on findings witnessed by the chief counsel for DFCS that there was no present deprivation, dated August 13, 2014 - 2 days after the kidnapping from school. Yet this became prolonged detention based on the same FRAUD that started it, when Petitioner was FALSELY accused of some vague "domestic violence" by 3 DFCS workers who then somehow made this PERJURY part of the FALSE and SECRET Diagnosis of a psychological exam (behind Petitioner's back) he was ordered to take by the juvenile court judge at a time he had no legal representation, in violation of his 6th Amendment right to counsel in any adversarial proceeding, 5th Amendment right not to give testimony against oneself, and 6th Amendment right to confront one's accusers. But this was done in secret and he never was even informed of the exam results, by a psychologist he never even met, who diagnosed him with a mental problem, known as "adjustment disorder unspecified" and found him guilty of "physical abuse of adult," and "child neglect," with no attorney, no jury, or hearing, or opportunity to even be informed or confront one's accusers. All of the charges were soon refuted by the alleged victim and the kids, yet still used to continue getting PRID.

If Donald Trump is serious about cracking down on FRAUD this case would be a great place to start because of all the PROOF I have. If I could also get some consideration of the case I had in Atlanta Fed. Court, this would free up the resources I need for paying legal fees. This action was against a bank mgr who failed to freeze my account when I requested it after a scammer stole my identity and made the first unauthorized transaction, costing me \$25,700 in Social Security funds. But I never had any valid account agreement with that bank, which took over my account with a previous bank, and the only account agreement with that one was signed with a reservation of my rights under "U.C.C. 1-207/308, Without prejudice, reserving my rights not to be forced to perform under any unseen, unknown, or coerced agreements," which did not include giving any 3rd party or other bank access to any of my money.

I am also seeking to have an appointed lawyer in my case in the event I am granted certiorari. I also have documented PROOF OF PERJURY of 7 witnesses and the evidence of the chief witness's 2 mental hospitalizations for hallucinations and 17 voices in her head since both my daughters have hereditary tendencies to be schizophrenic, but I have been unable to even get any hearing while trying to proceed PROSE.

In the meantime I have found that in all the Chapter 5 sections of Title 28 that establish district courts in the United States, Hawaii is the only state that has an Article III District Ct. In all other states, the district judges are appointed pursuant to Title 28 and NOT Article III of the U.S. Constitution. All other federal courts, with the exception of the U.S. Supreme Court and district court for the District of Columbia are administrative "courts" of a private corporation, a commercial entity, and NOT courts that have been ordained and established under Article III to exercise the judicial power of the United States. So, and please correct me if I'm wrong, these are NOT Constitutional courts, but are operating under "colorable law" or "counterfeit color of law," and are not subject to regular judicial rules because they are NOT Article III courts - so perhaps their decisions should NOT count as strikes, especially not in this case, for a Plaintiff that has been denied any substantive DUE PROCESS since the beginning of this very corrupt case, and never been afforded any hearing by a fair minded judge on the issues I can prove. When used in this manner, I believe that use of the PLRA or any such contrived device to deprive someone of DUE PROCESS and EQUAL PROTECTION of the LAWS continually in UNCONSTITUTIONAL and also depriving me of remedy and recourse as required by the Uniform Commercial Code, creating an UNCONSCIONABLE CONTRACT based on FALSE PRESUMPTIONS. I hereby discharge any such false presumptions under U.C.C. §§ 3-305, 3-601, 1-103, 1-308, Without prejudice. I am now 73 years old laboring (80 yr. sentence) under a false conviction based on FRAUD for crimes I did not do. I am a SUMMA CUM LAUDE graduate of Mercer University '95, 4.0 GPA. Please consider my request for an extension of the 90 day deadline of May 18 to June 17, and my request for representation, and certiorari. Thank you, Walter Kenney "Without prejudice, U.C.C. 1-308"

[My sentence is 2 Life + 50 years.] (5) "Without recourse"