

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

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MARIANNE SAWICKI.

Petitioner,

v.

RICHARD A. WILSON, CHRISTOPHER B. WENCKER, GEORGE N. ZANIC,  
DAVID G. SMITH, ANGELA ROBINSON, LORI HEATON, GLORIA R. AMMONS,  
and SHOHIN H. VANCE,

Respondents.

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**APPLICATION TO EXTEND THE TIME TO FILE  
A PETITION FOR WRIT OF CERTIORARI**

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Marianne Sawicki, pro se  
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**TO: Samuel A. Alito, Jr., Associate Justice of the Supreme Court of  
the United States and Circuit Justice for the Third Circuit**

Pursuant to Rules 13.5 and 30 of the Rules of this Court, Petitioner respectfully requests an extension of time of 60 days, to and including August 11, 2026, within which to file a petition for a writ of certiorari, for cause stating:

1. This application pertains to the judgment of the United States Court of Appeals for the Third Circuit, entered on February 13, 2026. A timely petition for rehearing was denied on March 13, 2026. One appellee was granted a *de minimus* award of attorney fees under Fed. R. App. P. 38, in an Order entered March 5, 2026. A timely petition for rehearing of that Order was denied on April 8, 2026.

2. Under Rule 13.3, the petition for writ of certiorari is therefore due no later than June 11, 2026.

3. This application is filed more than ten days before the petition is due.

4. This Court will have jurisdiction under 28 U.S.C. § 1254(1).

5. Good cause exists for an extension of time.

6. An extension is justified to enable Petitioner to seek review of several issues that are currently driving proceedings in the district court in this matter under the Civil Rights Attorney's Fees Awards Act, 42 U.S.C. § 1988, including:

- a. conflict within and among the Circuits created by a novel extension of the First Amendment to protect speech acts of perjury and malicious slander, contrary to precedents of this Court;

- b. plausibility of a pleading of fraud, under the Court's precedents, where official documents created by defendants falsify, on their face, the material elements of an evidentiary record available to the district court for comparison;
- c. plausibility of a pleading of conspiracy, under this Court's precedents, where a defendant was the only possible source of materials later included in or referenced by fraudulent documents filed by state actors who had interviewed that defendant; and
- d. presumption of absolute immunity on the sole basis of job titles without the functional review required by this Court's precedent.

7. While Petitioner was preparing the cert petition, the district court on May 11, 2026 unexpectedly granted Respondent Richard Wilson's motion for a Section 1988 fee award, in an Order accompanied by a set of close deadlines.

8. Petitioner cannot responsibly meet the current June 11, 2026 deadline for a cert petition in this Court while simultaneously preparing a motion for reconsideration of the May 11, 2026 ruling of the district court – due within ten days – and then drafting responses to the further filings that the district court has required Mr. Wilson to submit, responses which she must file by June 4, 2026.

9. Petitioner, proceeding pro se, uses Jenkins Law Library, a research facility one hour distant from her home via public transportation.

10. The upcoming federal holidays on May 25, June 19, and July 3 further limit Petitioner's access to the resources of the law library.

11. The district court dismissed the Complaint as implausibly pleaded against judicial personnel. The appellate panel summarily affirmed, even though the substantial questions enumerated herein were clearly before it. *See supra* ¶ 6.

12. This litigation implicates wrongful practices – albeit *improbable* ones – in an agency of the Supreme Court of Pennsylvania, described in the federal pleading as a fraud upon the state supreme court by several defendants. (Complaint ¶¶ 140, 150-71.) Review of those practices is going forward at the state supreme court, at its docket no. 45 WM 2026. None of the parties to the state supreme court proceedings is a party to this litigation except Petitioner herself.

13. Petitioner will move the district court to stay its recently resumed proceedings on the Section 1988 award, pending the outcome of the state supreme court's administrative review.

14. In any event, Petitioner is entitled to seek a writ of certiorari as to rulings below upon which the current Section 1988 proceedings are premised.

15. An extension of 60 days will enable Petitioner to competently draft and file the petition for writ of certiorari.

16. The 60-day extension will restore proper sequence to proceedings before the state supreme court and those now underway before the federal district court, respectively.

WHEREFORE, Petitioner respectfully requests that the time to file a petition for writ of certiorari be extended to August 11, 2026.

Respectfully submitted,



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May 12, 2026

#### ATTACHMENTS

Opinion, *Sawicki v. Wilson*, No. 25-3581, E.D. Pa., February 15, 2026.

Judgment, *Sawicki v. Wilson*, No. 25-3581, E.D. Pa., February 15, 2026.

Order, *Sawicki v. Wilson*, No. 25-3581, E.D. Pa., March 5, 2026.

Order Sur Petition for Rehearing, *Sawicki v. Wilson*, No. 25-3581, E.D. Pa., March 13, 2026.

Order, *Sawicki v. Wilson*, No. 25-3581, E.D. Pa., April 8, 2026.

**NOT PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 25-3581

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MARIANNE SAWICKI,  
Appellant

v.

RICHARD A. WILSON; CHRISTOPHER B. WENCKER; GEORGE N. ZANIC;  
DAVID G. SMITH; ANGELA ROBINSON; LORI HEATON; GLORIA R. AMMONS;  
SHOHIN H. VANCE

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. No. 2:25-cv-04884)  
District Judge: Honorable Gerald J. Pappert

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Submitted on the Parties' Cross-Motions for Summary Action  
Pursuant to Third Circuit L.A.R. 27.4 and I.O.P. 10.6  
on January 16, 2026

Before: KRAUSE, BIBAS, and MONTGOMERY-REEVES, Circuit Judges

(Opinion filed: February 13, 2026 )

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OPINION\*

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PER CURIAM

Marianne Sawicki appeals pro se from the order of the United States District Court for the Eastern District of Pennsylvania (“the EDPA”) that dismissed, with prejudice, her second civil-rights action related to attorney disciplinary proceedings that were brought against her in Pennsylvania. We will summarily affirm that judgment.

In 2023, the Supreme Court of Pennsylvania suspended Sawicki from the Pennsylvania Bar for a year and a day for numerous ethical violations. *See Sawicki v. Kipphan*, Nos. 24-2033 & 24-2120, 2025 WL 1261780, at \*1 (3d Cir. May 1, 2025) [hereinafter *Sawicki I*] (citing the Supreme Court of Pennsylvania’s decision). In May 2025, we affirmed the decision of the United States District Court for the Middle District of Pennsylvania (“the MDPA”) dismissing, with prejudice, Sawicki’s related civil-rights action. *See id.* at \*2. In that pro se action, Sawicki alleged, inter alia, that the disciplinary proceedings brought against her were the product of the unlawful efforts of various officials, who allegedly retaliated against her in violation of her First Amendment rights, conspired against her, and violated her due-process rights. *See id.* at \*1-2. We concluded that Sawicki’s retaliation claim failed under the standard set forth in *McLaughlin v. Watson*, 271 F.3d 566, 573 (3d Cir. 2001), that “her conclusory conspiracy allegations [were]

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

implausible,” and that her due-process claims were “just her retaliation theory repackaged.” *Sawicki I*, 2025 WL 1261780, at \*2.

After we affirmed, Sawicki filed another pro se civil-rights action related to her disciplinary proceedings, this time in the EDPA. Her complaint there named some of the defendants from her earlier case, as well as two new defendants (a member of the Disciplinary Board of the Supreme Court of Pennsylvania (“the Board”), and counsel for the Board).<sup>1</sup> The complaint repeated factual allegations from the original action and added factual allegations about the disciplinary proceedings that postdated the MDPA’s resolution of Sawicki’s first case. Once again, she claimed that the defendants had retaliated against her, conspired against her, and violated her due-process rights. On December 16, 2025, the EDPA entered an order granting the defendants’ motions to dismiss Sawicki’s complaint with prejudice. In doing so, the EDPA concluded that Sawicki’s claims against some of the defendants were barred under the doctrine of claim preclusion, that all defendants were immune from suit (for various reasons), that the complaint failed to state a viable claim on the merits (for essentially the reasons set forth in *Sawicki I*), and that amendment would be futile.

Sawicki timely appealed from the EDPA’s judgment,<sup>2</sup> and the parties have since filed cross-motions for summary action. We conclude that Sawicki’s EDPA complaint, on

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<sup>1</sup> The Board had unanimously recommended the suspension that was imposed by the Supreme Court of Pennsylvania.

<sup>2</sup> We have jurisdiction over this appeal under 28 U.S.C. § 1291, and our review of the EDPA’s decision is plenary. *See Bah v. United States*, 91 F.4th 116, 119 (3d Cir. 2024).

its merits, fails for substantially the reasons set forth in *Sawicki I* and echoed by the EDPA, and we agree with the EDPA that amendment of the complaint would be futile.<sup>3</sup> Accordingly, we grant Appellees' motions for summary affirmance and deny Sawicki's cross-motion for summary reversal, and we will summarily affirm the EDPA's judgment. *See* 3d Cir. I.O.P. 10.6 (providing that summary affirmance is warranted if the panel unanimously concludes that the appeal fails to present a substantial question).<sup>4</sup>

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<sup>3</sup> We need not, and do not, reach the preclusion and immunity issues discussed in the EDPA's decision.

<sup>4</sup> To the extent that Sawicki argues that the members of this Panel should recuse themselves because they sat on the panel that decided *Sawicki I*, that argument lacks merit. *See Securacomm Consulting, Inc. v. Securacom Inc.*, 224 F.3d 273, 278 (3d Cir. 2000) (“We have repeatedly stated that a party’s displeasure with legal rulings does not form an adequate basis for recusal . . .”). Nor has Sawicki otherwise demonstrated that recusal is warranted here. *See generally* 28 U.S.C. § 455 (setting forth standards of recusal).

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 25-3581

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MARIANNE SAWICKI,  
Appellant

v.

RICHARD A. WILSON; CHRISTOPHER B. WENCKER; GEORGE N. ZANIC;  
DAVID G. SMITH; ANGELA ROBINSON; LORI HEATON; GLORIA R. AMMONS;  
SHOHIN H. VANCE

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. No. 2:25-cv-04884)  
District Judge: Honorable Gerald J. Pappert

---

Submitted on the Parties' Cross-Motions for Summary Action  
Pursuant to Third Circuit L.A.R. 27.4 and I.O.P. 10.6  
on January 16, 2026

Before: KRAUSE, BIBAS, and MONTGOMERY-REEVES, Circuit Judges

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JUDGMENT

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This cause came to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted on the parties' cross-motions for summary action pursuant to Third Circuit L.A.R. 27.4 and I.O.P. 10.6 on January 16, 2026.

On consideration whereof, it is now hereby **ORDERED** and **ADJUDGED** by this Court that the judgment of the District Court entered December 16, 2025, be and the same

hereby is **AFFIRMED**. Costs will be taxed against Appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/ Patricia S. Dodszeit  
Clerk

Dated: February 13, 2026

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 25-3581

MARIANNE SAWICKI,  
Appellant

v.

RICHARD A. WILSON, et al.

(E.D. Pa. No. 2:25-cv-04884)

Present: KRAUSE, BIBAS and MONTGOMERY-REEVES, *Circuit Judges*

1. Motion filed by Appellee Richard A. Wilson for Attorneys' Fees and Double Costs Under FED. R. APP. P. 38.
2. Response filed by Appellant Marianne Sawicki to Appellee Richard A. Wilson Motion for Attorneys' Fees and Double Costs Under FED. R. APP. P. 38.

Respectfully,

Clerk

ORDER

The foregoing motion is granted in part. Appellee is awarded attorneys' fees and single costs. Appellee shall, within fourteen days of this Order, file supporting documentation that "show[s] the nature and extent of services rendered and the amount sought, including an itemized statement in affidavit form from the attorney stating the actual time expended and the rate at which fees are computed, together with a statement of expenses for which reimbursement is sought." 3d Cir. L.A.R. 108.1(c). Appellant shall, within fourteen days of Appellee's submission, file a response.

By the Court,

s/Stephanos Bibas  
Circuit Judge

Dated: March 5, 2026  
Amr/Cc: All counsel of record

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 25-3581

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MARIANNE SAWICKI,  
Appellant

v.

RICHARD A. WILSON; CHRISTOPHER B. WENCKER; GEORGE N. ZANIC; DAVID G. SMITH; ANGELA ROBINSON; LORI HEATON; GLORIA R. AMMONS; SHOHIN H. VANCE

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(E.D. Pa. No. 2:25-cv-04884)

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SUR PETITION FOR REHEARING

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Present: CHAGARES, *Chief Judge*, and HARDIMAN, SHWARTZ, KRAUSE, RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN, MONTGOMERY-REEVES, CHUNG, BOVE, and MASCOTT, *Circuit Judges*

The petition for rehearing filed by Appellant in the above-captioned case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc is **DENIED**.

By the Court,

s/Stephanos Bibas

Circuit Judge

Dated: March 13, 2026  
Lmr/cc: All Counsel of Record

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 25-3581

MARIANNE SAWICKI,  
Appellant

v.

RICHARD A. WILSON, et al.

(E.D. Pa. No. 2:25-cv-04884)

Present: KRAUSE, BIBAS, and MONTGOMERY-REEVES, *Circuit Judges*

1. Petition for Rehearing by Appellant Marianne Sawicki treated, pursuant to I.O.P. 10.3.3, as a motion for reconsideration of the Court's Order of 3/5/26 awarding attorneys' fees and single costs.

Respectfully,

Clerk

ORDER

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The foregoing motion is denied.

By the Court,

s/Stephanos Bibas  
Circuit Judge

Dated: April 8, 2026  
Amr/Cc: All counsel of record

IN THE SUPREME COURT OF THE UNITED STATES

MARIANNE SAWICKI.

Petitioner,

v.

RICHARD A. WILSON, et al.,

Respondents.

No. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify, on this twelfth day of May, 2026, that I served a true copy of the Application to Extend the Time to File a Petition for Writ of Certiorari by first class mail to the following:

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*Marianne Sawicki*

Marianne Sawicki, pro se

