

NO.
IN THE
SUPREME COURT OF THE UNITED STATES

DAWUD C.S. GABRIEL,
Petitioner,

v.

THE ADMINISTRATIVE REVIEW BOARD
OF THE
U.S. DEPARTMENT OF LABOR,
Respondent.

To the Attention
of

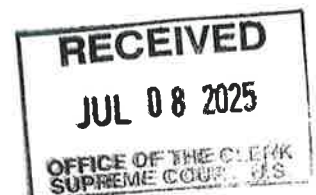
The Honorable Associate Justice
Sonia M. Sotomayor

On Petition for Writ of Certiorari
To the Judgment
of the

U.S. Court of Appeals
For the Second (2nd) Circuit
(Second (2nd) Cir. Case No. 24-2130)

Petitioner's Corrected Application for Relief –
Corrected Motion for an Extension
To File
Petitions for Writ of Certiorari

Dawud C.S. Gabriel
Non-Attorney, Pro Se Petitioner
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**PETITIONER'S CORRECTED APPLICATION FOR RELIEF-
CORRECTED MOTION FOR AN EXTENSION TO FILE
PETITIONS FOR WRIT OF CERTIORARI**

I. INTRODUCTION

July 1, 2025

Pursuant to 28 U.S.C. §2101(c), S.Ct.R.13.5, & S.Ct.R.30.2, Petitioner **DAWUD C.S. GABRIEL** ("Gabriel") motions the Court for an extension to file 28 U.S.C. §1254(1) Petitions for Writ of Certiorari, for the Court to review May 13, 2025, Judgment [Ex.1] of the Second (2nd) Cir. C.O.A. in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025). Gabriel requests the Court to extend the time until October 10, 2025, for Good Cause. Since Gabriel will exhibit Good Cause for an extension *infra*, the Court should grant Gabriel's Relief Request.

II. RELEVANT PROCEDURAL HISTORY

1. On August 12, 2024, Gabriel filed a 49 U.S.C. §42121(b)(4)(A) Petition with the Clerk of the Second (2nd) Cir. C.O.A. in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2024).
2. On August 12, 2024, Gabriel moved to proceed as a pauper in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2024).
3. On March 17, 2025, the Clerk of the Second (2nd) Cir. C.O.A. entered an unlawful mandate, that unlawfully dismissed the appeal in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025) and unlawfully denied Gabriel's August 12, 2024, Pauper Motion.
4. On April 1, 2025, Gabriel filed a Mandate Recall Motion to vacate March 17, 2025, unlawful mandate by the Clerk of the Second (2nd) Cir. C.O.A. in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025).
5. On May 17, 2025, Gabriel received the Clerk of the Second (2nd) Cir. C.O.A.'s May 13, 2025, unlawful judgment [Ex.1] by mail, which denied his April 1, 2025, Mandate Recall Motion, in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025). See Ex.1, Pg.1.

6. Gabriel now moves for the time to be extended until October 10, 2025, to file §1254(1) Petitions, for the Court to review May 13, 2025, Judgment [Ex.1] of the Second (2nd) Cir. C.O.A. in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025).

III. LEGAL STANDARD

A. Pro Se Standard

"[P]ro se [papers]...we hold to less stringent standards than [papers] drafted by lawyers[.]" Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); Estelle v. Gamble, 429 US 97, 106, 97 S. Ct. 285, 50 L. Ed. 2d 251 (1976).

A. 28 U.S.C. §1254(1)

"Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods...[b]y writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree[.]" Federal Election Comm'n v. NRA Political Victory Fund, 513 US 88, 90, 115 S. Ct. 537, 130 L. Ed. 2d 439 (1994); Missouri v. Jenkins, 495 US 33, 45, 110 S. Ct. 1651, 109 L. Ed. 2d 31 (1990).

B. 28 U.S.C. §2101(c) Extensions

"[28 U.S.C. §] 2101(c)...permits a Justice of this Court, "for good cause shown," to grant an extension of time for the filing of a petition for certiorari in a civil case for a period not exceeding 60 days. In civil cases, applications for extension of time must be presented during the original 90-day period." Missouri v. Jenkins, 495 US 33, 81 n.12, 110 S. Ct. 1651, 109 L. Ed. 2d 31 (1990); S.Ct.R.30.2.

C. Good Cause Standard

"[W]here specific allegations before the court show reason to believe that the petitioner may, if the facts are fully developed, be able to demonstrate that he is...entitled to relief, it is the duty of the court to provide the necessary facilities and procedures for an adequate inquiry. Bracy v. Gramley, 520 US 899, 908-909, 117 S. Ct. 1793, 138 L. Ed. 2d 97 (1997); Harris v. Nelson, 394 US 286, 300, 89 S. Ct. 1082, 22 L. Ed. 2d 281 (1969).

IV. DISCUSSION

Under 28 U.S.C. §2101(c), Congress permits a §1254(1) Petition to be timely filed within ninety (90) days of a final order/judgment of an U.S. Court of Appeals ("C.O.A."). Federal Election Comm'n v. NRA Political Victory Fund, 513 US 88, 90, 115 S. Ct. 537, 130 L. Ed. 2d 439 (1994); Missouri v. Jenkins, 495 US 33, 45, 110 S. Ct. 1651, 109 L. Ed. 2d 31 (1990).

However, a reasonable person would construe §2101(c) (as Congressional Intent) for each §1254(1) Petition is given ninety (90) days to be timely filed for the Court to consider Certiorari because a reasonable person would believe that Congress did not believe that multiple §1254(1) Petitions (to which are rarely granted but for such S.Ct.R.10(a) Exceptional Circumstances or at the discretion of the Court) would be filed at the same time, when §2101(c) was enacted. Alexander v. Sandoval, 532 US 275, 288, 121 S. Ct.

1511,149 L. Ed. 2d 517 (2001); Chevron USA Inc. v. Natural Resources Defense Council, Inc., 467 US 837, 842-43, 104 S. Ct. 2778, 81 L. Ed. 2d 694 (1984).

Before Gabriel received May 13, 2025, Judgment [Ex.1] of the Second (2nd) Cir. C.O.A. by mail on May 17, 2025, the Clerk of the Eleventh (11th) Cir. C.O.A. unlawfully entered a May 14, 2025, Judgment [Ex.2], in the matter of Gabriel v. Secretary, U.S. Homeland Security Dept., Case no.24-13865 (11th Cir.2025), that unlawfully denied Gabriel's May 13, 2025, Fed.R.App.P.27(a)(1) & 11th Cir.R.27-2 Reconsideration Motion [CA11 DE17]. Bracy v. Gramley, 520 US 899, 908-909, 117 S. Ct. 1793, 138 L. Ed. 2d 97 (1997); Harris v. Nelson, 394 US 286, 300, 89 S. Ct. 1082, 22 L. Ed. 2d 281 (1969). See Ex.2, Pg.1, and Gabriel v. Secretary, U.S. Homeland Security Dept., Case no.24-13865 (11th Cir.2025) CA11 DE17, Pgs.1-12.

Since Gabriel is also aggrieved by the Eleventh (11th) Cir. C.O.A.'s May 14, 2025, Judgment [Ex.2], he began composing his §1254(1) Petitions prior to receiving May 13, 2025, Judgment [Ex.1] of the Second (2nd) Cir. C.O.A., with the Eleventh (11th) Cir. C.O.A.'s May 14, 2025, Judgment [Ex.2], Gabriel has an August 12, 2025, deadline to file his §1254(1) Petitions, just after the August 11, 2025, deadline for filing the §1254(1) Petitions in the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025).

As it relates May 14, 2025, Judgment [Ex.2], Gabriel proposes to present eight (8) S.Ct.R.10 Questions, including (but not limited to) the Eleventh (11th) Cir. C.O.A.'s far departure from the accepted and usual course of judicial proceedings and the Eleventh (11th) Cir. C.O.A.'s sanctioning of the U.S. District Court – S.D.Fla.'s far departure from the accepted and usual course of judicial proceedings. Erickson v. Pardus, 551 US 89, 90, 127 S.Ct. 2197, 167 L.Ed.2d 1081 (2007); Morissette v. U.S., 342 US 246, 247, 72 S. Ct. 240, 96 L. Ed. 288 (1952). Also (as it relates to May 14, 2025, Judgment [Ex.2]), Gabriel proposes filing a four (4) volume S.Ct.R.14-1(i) Appendix.

Gabriel believes he will present the same eight (8) S.Ct.R.10 Questions that he argues for May 14, 2025, Judgment [Ex.2] for May 13, 2025, Judgment [Ex.1] in the §1254(1) Petitions related to the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025), including (but not

limited to) the Second (2nd) Cir. C.O.A.'s far departure from the accepted and usual course of judicial proceedings and the Second (2nd) Cir. C.O.A.'s sanctioning of the U.S. Labor Department's far departure from the accepted and usual course of Agency proceedings, as it relates to the unlawful adjudication of Gabriel's March 26, 2023, Wendell H. Ford Aviation Investment and Reform Act for the 21st Century ("AIR21") Complaint. Erickson v. Pardus, 551 US 89, 90, 127 S.Ct. 2197, 167 L.Ed.2d 1081 (2007); Morissette v. U.S., 342 US 246, 247, 72 S. Ct. 240, 96 L. Ed. 288 (1952); Lawson v. FMR LLC, 571 US 429, 430-31, 134 S. Ct. 1158, 188 L. Ed. 2d 158 (2014); Lawson v. FMR LLC, 670 F. 3d 61, 73 (1st Cir.2012).

Pro se Gabriel is not exactly sure of the approximate time it will take for him to complete the §1254(1) Petitions for May 13, 2025, Judgment [Ex.1] nor May 14, 2025, Judgment [Ex.2]; however, Gabriel knows that he will be moving for leave to file oversized §1254(1) Petitions related to the matter of Gabriel v. Secretary, U.S. Homeland Security Dept., Case no.24-13865 (11th Cir.2025), because of the numerous Due Process Violations intentionally committed by the Eleventh (11th) C.O.A. and the U.S. District Court – S.D.Fla. Estelle v. Gamble, 429 US 97, 106, 97 S. Ct. 285, 50 L. Ed. 2d 251 (1976); Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); Bracy v. Gramley, 520 US 899, 908-909, 117 S. Ct. 1793, 138 L. Ed. 2d 97 (1997); Harris v. Nelson, 394 US 286, 300, 89 S. Ct. 1082, 22 L. Ed. 2d 281 (1969); Kontrick v. Ryan, 540 US 443, 459, 124 S. Ct. 906, 157 L. Ed. 2d 867 (2004); Foman v. Davis, 371 US 178, 182, 83 S. Ct. 227, 9 L. Ed. 2d 222 (1962).

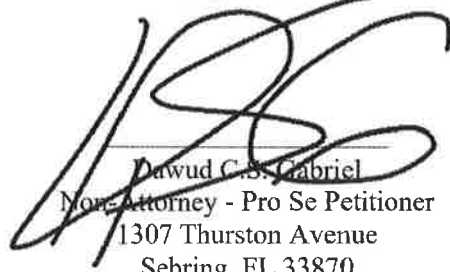
Since Gabriel is required and has moved for an extension before the expiration of the initial ninety (90) day period and has shown Good Cause for such extension, Gabriel now requests the Court to extend the §2101(c) Limitation Period, until October 10, 2025, for filing a §1254(1) Petitions for the matter of Gabriel v. The A.R.B. of the U.S. Labor Dept., Case no.24-2130 (2nd Cir.2025) [Ex.1]. Missouri v. Jenkins, 495 US 33, 81 n.12, 110 S. Ct. 1651, 109 L. Ed. 2d 31 (1990); S.Ct.R.30.2.

V. CONCLUSION

For the foregoing reasons, the Court should grant Gabriel's request for relief.

July 1, 2025

Respectfully,



Dawud C.S. Gabriel
Non-Attorney - Pro Se Petitioner
1307 Thurston Avenue
Sebring, FL 33870
(863) 464-9100

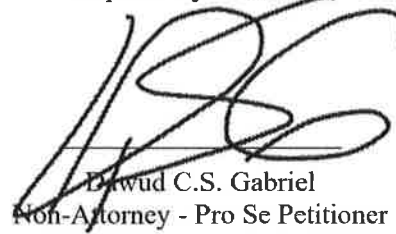
VI. CERTIFICATE OF SERVICE

Pursuant to S.Ct.R.29, I, Dawud C.S. Gabriel, do declare that on July 1, 2025, that I have served three (3) copies of the enclosed 28 U.S.C. §2101(c), S.Ct.R.13.5, & S.Ct.R.30.2 Corrected Extension Motions on Mr. Scott S. Harris, Clerk of the U.S. Supreme Court, by the U.S. Postal Service's Priority Mail (Tracking no.9410-8301-0935-5004-8522-61), at the address of the Clerk, U.S. Supreme Court, Washington, D.C., 20543-0001, as well as served one (1) copy on the U.S. Solicitor General, by First-Class Mail, at the address of 950 Pennsylvania Ave., N.W., RM 5614, Washington, D.C., 20530-0001.

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

Executed on July 1, 2025

Respectfully Submitted,



Dawud C.S. Gabriel
Non-Attorney - Pro Se Petitioner
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(863) 464-9100

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13th day of May, two thousand twenty-five.

Before: Debra Ann Livingston,
Chief Judge,
Reena Raggi,
William J. Nardini,
Circuit Judges.

Dawud C.S. Gabriel,

Petitioner,

v.

United States Department of Labor,

Respondent.

ORDER

Docket No. 24-2130

Petitioner, pro se, moves for a recall of the Court's mandate.

IT IS HEREBY ORDERED that the motion is DENIED.

For the Court:
Catherine O'Hagan Wolfe,
Clerk of Court

24-13865-A Dawud Gabriel v. Secretary, U.S. Department of Homeland Security "Notice of no action taken on motion/filing" (2:24-cv-14262-KMM)

From: ecf_help@ca11.uscourts.gov

To: dawudsmail@yahoo.com

Date: Wednesday, May 14, 2025 at 08:17 AM EDT

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United States Court of Appeals for the Eleventh Circuit

Notice of Docket Activity

The following transaction was filed on 05/14/2025

Case Name: Dawud Gabriel v. Secretary, U.S. Department of Homeland Security

Case Number: 24-13865

Docket Text:

Notice that no action will be taken on Motion for reconsideration of clerk's order [17] filed by Appellant Dawud S. Gabriel. Reason(s) no action being taken on filing(s): The deficiencies that caused this case to be dismissed have not been remedied..

Notice will be electronically mailed to:

Dawud S. Gabriel