

APP. \_\_\_\_\_

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**In The  
Supreme Court of the United States**

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□ □ DMITRY KRUGLOV,  
Applicant

v.

FEDERAL NATIONAL MORTGAGE ASSOCIATION,  
Respondent. □ □ □ □

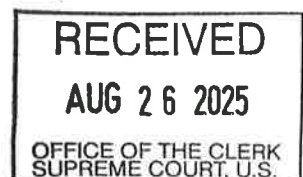
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On Application for an Extension of Time to File Petition for a Writ of  
Certiorari to the Pennsylvania Supreme Court Middle District

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**8/21/25**



**APPLICATION TO THE HONORABLE SAMUEL A. ALITO, JR. FOR  
AN EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION  
FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF  
PENNSYLVANIA, MIDDLE DISTRICT**

To the Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme  
Court of the United States and Circuit Justice for the Third Circuit:

Pursuant to Supreme Court Rules 13.5 and 30.3, Petitioner Dmitry Kruglov respectfully applies for a 60-day extension of time to file a petition for a writ of certiorari to review the judgment of the Supreme Court of Pennsylvania, Middle District, in Case No. 166 MM 2024 (Petition for Allowance of Appeal from Superior Court Decision 2103 EDA 2023). The current deadline for filing the petition is August 21, 2025, assuming the time runs from the May 23, 2025, order denying the Petition Nunc Pro Tunc. This application seeks to extend that deadline to and including October 20, 2025.

Although this application is filed on the due date, good cause exists for the delay in filing the application earlier, as explained below, due to confusion created by the lower court's orders regarding the operative date for commencing the 90-day period under Rule 13.1.

## **1. Jurisdiction**

The Supreme Court of Pennsylvania, Middle District, entered an order on May 23, 2025, denying Petitioner's application for allowance of appeal nunc pro tunc per curiam (see Attachment 4: Order Denying Petition Nunc Pro Tunc, May 23, 2025). Subsequently, on June 18, 2025, the court entered a separate order denying the Petition for Allowance of Appeal from the Superior Court of Pennsylvania's decision in Case No. 2103 EDA 2023; however, this order appears to have been removed from the public docket, and proof of its issuance and denial is provided via the electronic service notice (see Attachment 1: Electronic Service Notice for Order Denying Petition for Allowance of Appeal, June 18, 2025). Pursuant to 28 U.S.C. § 1257 and this Court's Rule 13.1, the time to file a petition for a writ of certiorari expires 90 days after the entry of the judgment sought to be reviewed. If the May 23, 2025, order is deemed the final judgment, the petition is due August 21, 2025. No application for rehearing was filed, and no previous extensions have been sought or granted.

## **2. Reasons for Granting the Extension**

Good cause exists for the requested extension under Rule 13.5. Petitioner has been diligently preparing the petition but requires additional time due to the following circumstances:

### **a. Confusion Caused by the Lower Court's Orders Regarding the Timeline**

The Supreme Court of Pennsylvania issued multiple orders that created confusion regarding the timeline for appeal. On December 26, 2024, Petitioner attempted to file a timely Petition for Allowance of Appeal just before the midnight deadline. The court's electronic filing system repeatedly failed to upload the petition attachment, causing a delay of approximately 15 minutes past the deadline, as evidenced by documentation submitted with the subsequent Petition Nunc Pro Tunc (see Attachment 3: Delay Page, December 26, 2024). The application was rejected the next day, with payment refunded, as confirmed by the court's electronic service notification (see **Attachment 2: Electronic Service for Case *Kruglov v. Federal National Mortgage Association***, confirming rejection and refund, December 2024), and

Petitioner was instructed to file a Petition Nunc Pro Tunc to accept the late filing.

Petitioner promptly filed the Petition Nunc Pro Tunc the following day, attaching proof of the court's website timeout, demonstrating that the 15-minute delay was due to technical issues beyond Petitioner's control. The court did not rule on this petition until May 23, 2025, denying it per curiam (**Attachment 4**). On June 18, 2025, the court issued another order denying the underlying Petition for Allowance of Appeal, as evidenced by the electronic service notice (**Attachment 1**); however, the order itself appears to have been removed from the public docket, further contributing to the procedural confusion. The May 23, 2025, order appeared to address only the procedural issue of timeliness, while the June 18, 2025, order seemed to be the substantive decision on the merits. This led Petitioner to reasonably believe that June 18, 2025, was the operative date for calculating the 90-day period for filing a petition for writ of certiorari, which would set the deadline at September 16, 2025. This confusion delayed the preparation of this application and necessitates additional time to ensure a properly prepared certiorari petition.

### **b. Petitioner's Multiple Pending Cases**

Petitioner is currently managing several other pending cases, which have significantly strained time and resources. These include two appellate cases in New York (CV10833-19/NY and CV-8240-24/NY) and a New York Supreme Court case in the Commercial Division (653270/2025) involving multiple defendants. The demands of these concurrent litigations have limited Petitioner's ability to focus solely on preparing the petition for writ of certiorari in this matter.

### **3. The Petition Will Present Important Questions**

The petition for a writ of certiorari will present significant federal questions warranting this Court's review, including whether the Pennsylvania courts' denial of relief for violations of Fannie Mae's Real Estate Owned (REO) guide rules—despite their mandatory language and express allowance for third-party complaints, as documented in the record—contravenes federal interests in government-sponsored entity accountability and equitable access to justice in real estate transactions. Additionally, the petition will address whether the trial court's unequal treatment of discovery requests (admitted by the presiding judge), abrupt termination of discovery without notice

potentially influenced by external “marching orders” from the Pennsylvania Supreme Court (referenced six times in a hearing transcript), and the Superior Court’s failure to address noted due process violations in Case No. 2103 EDA 2023 deprived Petitioner of a fair trial under the Fourteenth Amendment’s Due Process Clause. These issues, arising in a contract dispute with a federally regulated entity and supported by transcripts of proceedings, have nationwide implications for consumers engaging with foreclosed properties. Granting the extension will allow Petitioner to fully articulate these constitutional and substantive issues for the Court’s consideration.

#### **4. Prejudice**

Respondent will not be prejudiced by the requested 60-day extension, as this is the first such request, and the extension is modest in duration. The delay will not materially affect the proceedings, while allowing Petitioner to present a well-prepared petition.

## Attachments

- **Attachment 1:** Electronic Service Notice for Order Denying Petition for Allowance of Appeal, June 18, 2025 (proof of issuance and denial, as the order appears removed from the public docket).
- **Attachment 2:** Electronic Service for Case *Kruglov v. Federal National Mortgage Association*, confirming rejection of filing and refund, December 2024.
- **Attachment 3:** Court's Timeout Page, documenting website timeout during filing attempt on December 26, 2024.
- **Attachment 4:** Order Denying Petition Nunc Pro Tunc, May 23, 2025, Supreme Court of Pennsylvania, Middle District, Case No. 166 MM 2024.

For the foregoing reasons, Petitioner respectfully requests that an order be entered extending the time to file the petition for a writ of certiorari to and including October 20, 2025.

Respectfully submitted,



Dmitry Kruglov,

August 21, 2025