

Dale Sundby
5963 N Golden Eagle Dr, Tucson, Arizona 85750

July 7, 2025

By Priority Mail

The Honorable Elena Kagan
Associate Justice
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: Application for Extension of Time to File Petition for Certiorari

Dear Justice Kagan,

I respectfully request a 60-day extension of time to file a petition for a writ of certiorari in Jeffrey Myers, et al v. Dale Sundby (Dale Sundby, Trustee as Movant and Appellant), California Superior Court Case No. 37-2021-00055006-CU-UD-CTL, 4DCA1 Case No. D084372, and California Supreme Court Case No. S289544. I am proceeding pro se.

The California Court of Appeal issued its opinion on January 21, 2025. The California Supreme Court summarily denied the petition for review on April 23, 2025. Accordingly, the petition for certiorari is currently due on July 22, 2025.

I am concurrently preparing a petition for rehearing en banc in two consolidated federal appeals pending before the Ninth Circuit, due July 16, 2025 (based on a July 2, 2025 opinion), while managing multiple overlapping federal cases pro se. These obligations, combined with the July 4th holiday and seven federal court filings over the past 60 days, make it difficult to complete the petition within the standard 90-day window.

The petition will include a dispositive constitutional question, whether a sole trustee-beneficiary may appear pro se to protect his sole undivided trust interest, that has not been addressed on the merits by five different state and federal courts. Because each declined to rule on this threshold issue, substantial care is required to properly frame the federal question and supporting grounds.

I therefore respectfully request a 60-day extension, to and including September 22, 2025, to prepare and file the petition.

Thank you for your consideration.

Respectfully,

Dale Sundby



Appellate Courts Case Information

Supreme Court

Change court ▾

Case Summary

Docket

Briefs

Disposition

Parties and Attorneys

Lower Court

Docket (Register of Actions)

MYERS v. SUNDBY (SUNDBY)

Division SF

Case Number S289544

Date	Description	Notes
02/28/2025	Petition for review filed	Defendant: Dale H. Sundby Pro Per
02/28/2025	Record requested	
02/28/2025	Received Court of Appeal record	
04/23/2025	Petition for review denied	

Click here to request automatic e-mail notifications about this case.

CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2025, a copy of the foregoing Application for Extension of Time to File Petition for Certiorari was served by U.S. mail, postage prepaid, on opposing counsel:

Lewis R. Landau (State Bar No. 143391)
22287 Mulholland Hwy., # 318
Calabasas, California 91302
Email: lew@landaunet.com
Telephone: (888) 822-4340
Facsimile: (888) 822-4340

Dated: July 7, 2025



Dale Sundby