

IN THE UNITED STATES SUPREME COURT

Civil Action No. _____

Appeal from the Texas Supreme Court, case no. 25-0411

ALISON MAYNARD,

Petitioner,

vs.

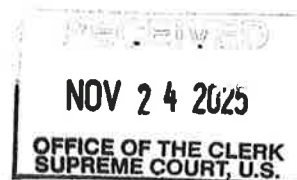
WILLIAM R. LUCERO and JACOB VOS,

Respondents.

**MOTION FOR 60-DAY EXTENSION TO FILE PETITION FOR
CERTIORARI**

Petitioner Alison Maynard, for herself, pursuant to Rule 13(5) of the Rules of the Supreme Court respectfully asks this honorable Court for a 60-day extension of time within which to file her petition for certiorari in this case, to February 2nd, 2026, as grounds therefor stating as follows:

1. The Supreme Court of the State of Texas denied my request for rehearing of its denial of my petition for review on Sept. 5th, 2025. A copy of that order, along with its order denying the petition and the opinion of the Fourth Court



of Appeals, is attached. Pursuant to United States Supreme Court Rules 13(1) and (3), the 90-day deadline for filing my petition for certiorari in this Court falls on Dec. 4th, 2025.¹

2. In the trial court (Bexar County District Court in San Antonio, Texas, case no. 2020 CI 21633), I had sued the two respondents in this matter, William Lucero and Jacob Vos (whom I refer to as one unit, “Lucero/Vos,” since their defense is the same), along with Jacob Zimmerman and Mark Bankston, for using and disclosing my private emails, in violation of the Wiretap Act, 18 U.S.C. Sec. 2520, *incorporating by reference* Sec. 2511, as well as torts including conspiracy. These defendants used and disclosed my emails, knowing they had been intercepted, in 2019-20 in a disciplinary proceeding they convened against me in the State of Colorado for the unauthorized practice of law. I did nothing in any Colorado court, but had been licensed as an attorney in that state from 1987 to 2009.

3. In the Bexar County district court, the reason for dismissal of Lucero/Vos (residents of Colorado) and Zimmerman (a resident of Minnesota) was lack of personal jurisdiction, specifically that they had no “minimum contacts” with the State of Texas. As for Mark Bankston, a Houston attorney, the reason was my

¹ I had a co-plaintiff with me, Richard Carlisle, in proceedings through the Court of Appeals, but he did not participate in the petition for review to the Texas Supreme Court.

failure to make service on him within the limitations period applicable to filing the complaint, although he brought that affirmative defense under the “umbrella” of the Texas Citizens’ Participation Act (TCPA). *See* Tex.Civ.Prac. & Rem. Code Sec. 27.005(d).

4. Although these defendants were dismissed at different times, I was able to appeal all three dismissals to the Texas Fourth Court of Appeals together, in case no. 04-23-00665-CV. However, the Court of Appeals then split that case into three, requiring separate briefing and issuing opinions on the three appeals at different times.

5. I filed a petition for review with the Texas Supreme Court in each matter. In the present case (Lucero/Vos), the Texas Supreme Court denied my petition, then, as mentioned, denied my request for rehearing on Sept. 5th, 2025. It denied my request for rehearing in Zimmerman (case 25-0469) on Oct. 31st, 2025. It has not yet ruled on my petition for review in Bankston, case 25-0705, which was filed Sept. 15th, 2025.

6. I request an extension of 60 days so that I can combine the petition in this matter (Lucero/Vos) with that in Zimmerman, as well as that in Bankston, assuming the Texas Supreme Court denies review there, too.

7. It is in the interest of judicial efficiency that there be but one petition for certiorari filed with this Court, first because this was a conspiracy among these defendants, but all the more because the fundamental issue in all three cases is preemption of state doctrines or laws by the Wiretap Act, as mandated by the Supremacy Clause of the United States Constitution, Art. VI, Clause 2. It is an issue of first impression with great importance to the jurisprudence of this Court: the Texas court may not be permitted to decline jurisdiction over Lucero/Vos or Zimmerman, since to do so impairs the remedy provided by Congress for the invasion of my privacy. Nationwide jurisdiction is implied or the Wiretap Act is meaningless: its reach was intended, and must be determined to be, coextensive with the internet.

8. Alternatively, the “minimum contacts” with the state required by *International Shoe v. Washington*, 326 U.S. 310 (1945), and its progeny before suit can be maintained in a state court against a nonresident defendant is met when he commits his wrongs by virtual means, at least for claims brought pursuant to this particular federal statute. Lucero and Vos (and Zimmerman) purposely availed themselves of the benefits and protections of this state by making use of Texas’s extensive internet facilities, knowledge base, and regulatory framework, without which they could not have committed their wrongs against me. Moreover, Lucero

and Vos did not support their “plea to jurisdiction” (the instrument, in Texas, by which a defendant may specially appear to contest jurisdiction) with facts sworn to under penalty of perjury. Their affidavits were fraudulent. Under Texas’s own rule they waived the defense of “no minimum contacts.”

9. As for Bankston, dismissal was upheld by the Court of Appeals based, first, on the TCPA, a Texas law which conflicts with the Wiretap Act on its face, and, second, on an unpublished judicial rule requiring service to be made within the same limitations period applicable to the filing of the complaint. Because the Wiretap Act contains no requirement relating to time of service, there would be a different outcome depending on whether the claim was brought in federal as opposed to state court, meaning the judicial rule is preempted also per *Felder v. Casey*, 487 U.S. 131 (1988). Because unpublished, the rule is invalid as a matter of fundamental due process, as well.

10. The opinion of the Texas Fourth Court of Appeals, in Lucero/Vos, is attached as the Court requires, but note that it mischaracterized evidence, as well as my legal argument.

11. The issues in this trio of Texas appeals all deal with preemption by the Wiretap Act of state laws or doctrines, in the instant case (and Zimmerman)

presenting the novel and important question whether Texas's geographical boundaries, alone, may shield those who violate this Act of Congress from being held to account, when that law was enacted specifically to protect people from such intrusions. It has great importance for the jurisprudence of this Court, and this Court has plenary jurisdiction to entertain it.

12. Even if the Court does not permit all three cases to be combined into one petition, I am now short on time in this one, Lucero/Vos, so ask for the extension in order that I have time to prepare my petition. I am working at two part-time jobs (one physically demanding, particularly now, due to the seasonal crush), and can do legal research only at the downtown county courthouse law library during business hours.

WHEREFORE, cause being shown and it being in the interest of judicial efficiency that I submit just one petition for certiorari rather than three, or alternatively, that I be granted additional time to submit the petition for Lucero/Vos alone, the present request for extension to Feb. 2nd, 2026, should be granted, in the interest of justice.

Dated this 10th day of November, 2025.

BY PETITIONER PRO SE:

Alison Maynard

/s/ Alison Maynard

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CERTIFICATE OF SERVICE

I, Alison Maynard, hereby certify, by my signature above, that I have served the foregoing "Motion for Extension to File Petition for Certiorari" by depositing true copies thereof in the United States mail, with first class postage, this 10th day of November, 2025, addressed as follows:

Counsel for Lucero/Vos:

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