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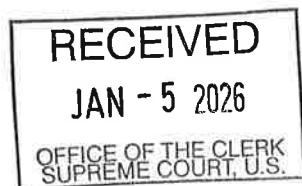
IN THE SUPREME COURT OF THE UNITED STATES

| | | |
|-----------------------------|---|---|
| JEFFREY L. CLEMENS, |) | Case No. [1 st Circuit]: 23-1568 |
| |) | |
| Petitioner, |) | PETITIONER'S APPLICATION |
| |) | FOR AN EXTENSION OF TIME |
| V. |) | TO FILE HIS PETITION FOR A WRIT |
| |) | OF CERTIORARI |
| W. MICHAEL STEWART, et al., |) | |
| |) | Rule 22 |
| Respondent[s]. |) | |
| |) | |

The petitioner, Jeffrey L. Clemens, for good cause shown, does hereby request an extension of time to file his Petition for a Writ of Certiorari in the above-referenced case entitled Clemens v. Stewart [but as pertains only to defendants Andrew Quigley and John Doe] and originally filed in the U.S. District Court/Boston, Case No. 22-cv-10593-DJC.

The First Circuit issued its final decision on October 16, 2025, making January 16, 2026 the deadline for petitioning this court. Petitioner Clemens seeks an extension of sixty [60] days given the following circumstances:

- A] Petitioner, for the last year or so, has been the primary caregiver to his elderly mother, Marilyn Clemens, who suffered ALS and dementia and became completely bedridden in early October and who was furthermore placed on home hospice care in late October while petitioner remained her primary caregiver;
- B] Petitioner's duties, which were essentially 24/7 and included specialty meal-making, extended to December 17, 2025 when Marilyn passed away at home but for which, too, has required time spent on matters of funeral arrangements and such;
- C] That, too, starting in October, the petitioner himself began testing for unexplained lung issues that saw him making frequent trips to his primary care provider as well



as numerous specialists; in November a CAT scan revealed nodules of an unknown nature and now, in turn, numerous visits to doctors and hospitals [for testing] are anticipated in the next thirty [30] or so days, including with a pulmonary specialist scheduled for early January; a recent visit to an ER revealed a Valley fever exposure but since the petitioner is a former follicular thyroid patient he is requiring a series of extensive tests in the coming weeks [PET, secondary CAT, etc.] as a malignancy is suspected as well;

D] Petitioner, too, has had to give much attention to filing pleadings this month with the Ohio Supreme Court [on unrelated matters], Case No. 25-1567, that are of an urgent and precedent nature.

Given the above, and its attending physical obligations as well as emotional effects like anxiety and such, the petitioner has not to-date been able to complete his otherwise as yet intended petition for a writ of certiorari and does not at all anticipate being able to finish his petition by January 16, 2026. The primary issue he intends to put before this court is of potential national import [whether a clerk magistrate enjoys immunity when his actions, otherwise nondiscretionary and unrecorded, lead to an identifiable harm to a party] and, as such, this court deserves as best a petition as Clemens can deliver. Further time is needed to assure such a petition.¹

Respectfully submitted,



Jeffrey L. Clemens

Dated this 30th day of December 2026

¹ It should be said, however, that if medical issues and treatments become too serious, the petitioner will likely abandon his efforts to petition this court. As such, an extension does not appear to in any way adversely prejudice either this court nor the defendant[s] and their counsel.

United States Court of Appeals For the First Circuit

No. 23-1568

JEFFREY L. CLEMENS,

Plaintiff - Appellant,

v.

W. MICHAEL STEWART; AMANDA O'SHEA; MICHAEL J. O'HARA; ANDREW QUIGLEY; JOHN DOE; TOWN OF SCITUATE, MA; THERESA TUFTS,

Defendants - Appellees.

Before

Montecalvo, Kayatta, and Rikelman,
Circuit Judges.

JUDGMENT

Entered: October 16, 2025

Plaintiff-appellant Jeffrey Clemens appeals from the dismissal of his complaint invoking 42 U.S.C. §§ 1983 and 1985, as well as state law. A stipulation of dismissal entered November 6, 2024, disposed of the appeal as to most appellees, and we now address what remains of the appeal.

After a careful de novo review of the record, the submissions of the parties, and the reasoning provided by the district court, we affirm the challenged rulings, substantially for the reasons set forth in the detailed and thorough Memorandum and Order issued by the district court on February 17, 2023, and in the electronic orders entered on June 13, 2023. See Local Rule 27.0(c) (summary disposition); Blackstone Realty LLC v. F.D.I.C., 244 F.3d 193, 197 (1st Cir. 2001) (standard of review and general principles re dismissal based on Rule 12(b)(6)); see also Windross v. Barton Protective Servs., Inc., 586 F.3d 98, 104 (1st Cir. 2009) (court reviews denial of motion to amend complaint for abuse of discretion). Regarding specifically the district court's decision to dismiss the claims against the "John Doe" defendant without first ordering discovery, the factual allegations pled against the "John Doe" defendant were insufficient to make out any plausible theory of relief, and dismissal at the motion-to-dismiss stage was warranted.

The judgment of the district court is affirmed. Any remaining pending motions, to the extent not mooted by the foregoing, are denied.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Jeffrey L. Clemens

John Joseph Davis Jr.

Adam Simms

Justin Lee Amos

David A. Rich

PROOF OF SERVICE

I am a citizen of the United States and the State of California and a resident of the State of Ohio. I am over the age of eighteen. My current address is:

5210 W. Waterberry Drive, Huron, Ohio 44839

On December 30, 2025, I served the within document:

PETITIONER'S APPLICATION
FOR AN EXTENSION OF TIME
TO FILE HIS PETITION FOR A WRIT
OF CERTIORARI

on the defendant[s] in said action by sending a true copy thereof in sealed envelopes posted First Class, from Huron, Ohio, addressed as follows:

Hannah Pappenheim, AAG
Government Bureau
Massachusetts Attorney Generals Office
One Ashburton Place
Boston, MA 02108

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

Signed: 
Jeffrey Clemens

Date: 12/30/25