

No. 23A881

Courts
Copy

In the
Supreme Court of the United States

LINDA BALDWIN,

Petitioner, Pro se

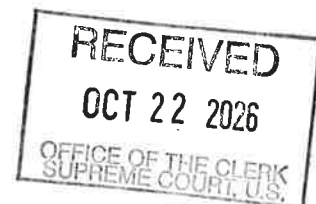
v.

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT,

Respondent.

On Emergency Petition for a Writ of Mandamus to the
United States Court of Appeals for the Fifth Circuit
(5th Cir. No. 26-50167 / W.D. Tex. No. 1:23-CV-426)

**APPLICATION TO THE HON. SAMUEL ALITO AS CIRCUIT JUSTICE
FOR A 60-DAY EXTENSION OF TIME WITHIN WHICH TO FILE A
PETITION FOR A WRIT OF CERTIORARI**



**APPLICATION TO ASSOCIATE JUSTICE SAMUEL ALITO FOR A 60-DAY
EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION FOR A
WRIT OF CERTIORARI**

To the Honorable Samuel Alito, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Fifth Circuit:

Pursuant to Supreme Court Rules 13.5 and 30, Applicant Linda Baldwin, proceeding *pro se*, respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari, moving the current deadline from January 5, 2027, up to and including March 6, 2027.

In support of this application, Applicant states as follows:

1. Lower Court Judgment and Jurisdiction

The United States Court of Appeals for the Fifth Circuit entered its judgment, and a timely petition for rehearing was denied on or about June 2026. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). This application is submitted well in advance of the 10-day requirement mandated by Supreme Court Rule 30.2.

2. Good Cause: Medical Incapacity Resulting from an Accident

Good cause exists to grant the full 60-day extension. Recently, Applicant suffered severe physical injuries as a direct result of an unexpected elevator accident on September 17, 2026. The elevator was not properly tagged out or marked as out-of-

service while maintenance was being performed at Suite I living at in Buda TX.....?

As a direct consequence of this trauma, Applicant has undergone medical treatments, physical recovery, and periods of physical and cognitive incapacitation that prevent normal functioning. Specifically, Applicant has sustained bulging discs in the spine, resulting in severe medical limitations—including hospitalization, severe physical trauma, and an inability to sit for prolonged periods, review complex legal documents, or operate a computer (see Exhibit A).

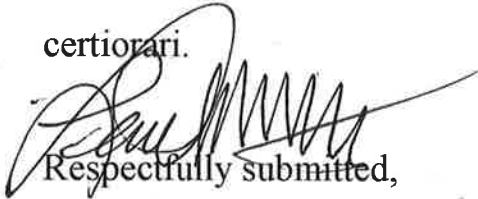
Because of these unforeseen medical hurdles, it is physically impossible for Applicant to complete the rigorous research, record review, and drafting required for a Supreme Court petition within the initial window.

3. Absence of Prejudice

Granting this 60-day extension will not prejudice the opposing party, and this request is not made for the purpose of delay, but strictly to ensure that an unrepresented litigant recovering from severe accidental trauma has a fair opportunity to present her case.

PRAYER FOR RELIEF

Wherefore, Applicant respectfully requests that an extension of 60 days, up to and including **March 6, 2027**, be granted within which to file a petition for a writ of certiorari.



Respectfully submitted,

Linda Baldwin

Linda Baldwin
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Round Rock, Texas 78681
512 284-6643

Itistime3@yahoo.com

**United States Court of Appeals
for the Fifth Circuit**

United States Court of Appeals
Fifth Circuit

FILED

July 30, 2026

Lyle W. Cayce
Clerk

No. 26-50167

IN RE LINDA BALDWIN,

Petitioner.

Petition for a Writ of Mandamus
to the United States District Court
for the Western District of Texas
USDC No. 1:23-CV-426

UNPUBLISHED ORDER

Before GRAVES, HO, and DOUGLAS, *Circuit Judges*.

PER CURIAM:

This panel previously DENIED petition for writ of mandamus. The panel has considered Petitioner's motion for reconsideration.

IT IS ORDERED that the motion is DENIED.

United States Court of Appeals
for the Fifth Circuit

No. 26-50167

United States Court of Appeals
Fifth Circuit

FILED

June 24, 2026

Lyle W. Cayce
Clerk

IN RE LINDA BALDWIN,

Petitioner.

Petition for Writ of Mandamus to the
United States District Court
for the Western District of Texas
USDC No. 1:23-CV-426

UNPUBLISHED ORDER

Before GRAVES, HO, and DOUGLAS, *Circuit Judges*.

PER CURIAM:

Linda Baldwin has filed in this court a pro se petition for a writ of mandamus and a motion requesting leave to file her mandamus petition in forma pauperis (IFP). The motion for leave to proceed IFP is GRANTED.

Baldwin has engaged in repeated legal actions challenging the denial of workers' compensation benefits arising from injuries she suffered in 2006 and 2007. In 2020, Judge Robert Pitman entered a pre-filing injunction barring Baldwin from filing complaints or otherwise initiating litigation without obtaining prior approval from a district or magistrate judge. *Baldwin v. Off. of Injured Emp. Couns.*, No. 1:19-CV-454, 2020 WL 13610156, 2 (W.D. Tex. Mar. 24, 2020) (unpublished). In 2023, Baldwin filed a civil rights complaint against Judge Pitman in Cause Number 1:23-CV-426, asserting



A True Copy
Certified order issued Jun 24, 2026

Lyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 26-50167

that he had violated her constitutional rights and discriminated against her in prior civil actions challenging the denial of workers' compensation benefits. A different judge denied relief. A panel of this court denied Baldwin's IFP motion and dismissed the appeal as frivolous. *Baldwin v. Pitman*, No. 23-50349, 2024 WL 203985, 1 (5th Cir. Jan. 19, 2024) (unpublished).

In January 2025, Baldwin sought permission to file a new complaint in the Western District of Texas alleging that she was entitled to equitable tolling for claims based on the failure to pay workers' compensation after her 2006 and 2007 injuries. The case was assigned to Judge Pitman, who denied her leave to file, noting that Baldwin was barred from filing complaints in the district and was seeking "to litigate the same or related claims she litigated in previously filed cases." In May 2025, Baldwin submitted a "Motion for Judgment as a Matter of Law" challenging this ruling, which was apparently received by the district court but was not filed. In September 2025, Baldwin apparently sent Judge Pitman a summons in Cause Number 1:23-CV-426 along with a motion for leave to amend her complaint. Although she indicated that she sent a copy of those documents to the district court, they do not appear on the district court docket sheet.

In her petition for a writ of mandamus, received on February 23, 2026, Baldwin challenges the actions of Judge Pitman in her civil proceedings. Although her petition is difficult to understand, she appears to believe that this court remanded Cause Number 1:23-CV-426 to the district court and asks us to compel the judge to file an answer in that case; she also asks we order the district court to vacate orders prohibiting her from participating in discovery and to enter a scheduling order allowing for discovery, as she contends that permitting the district court to rule on an incomplete record would violate the mandate rule. Baldwin asserts that she is entitled to entry of a default judgment in her favor. In addition, Baldwin maintains that Judge Pitman should be removed from hearing her civil cases.

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“Mandamus is an extraordinary remedy that should be granted only in the clearest and most compelling cases.” *In re Willy*, 831 F.2d 545, 549 (5th Cir. 1987). A party seeking mandamus relief must show both that he has no other adequate means to obtain the requested relief and that he has a “clear and indisputable” right to the writ. *Id.* (internal quotation marks and citation omitted). Mandamus is not a substitute for appeal. *Id.* “Where an interest can be vindicated through direct appeal after a final judgment, this court will ordinarily not grant a writ of mandamus.” *Campanioni v. Barr*, 962 F.2d 461, 464 (5th Cir. 1992). Our mandamus authority does not extend to directing a district court to reconsider a ruling in a closed case. *Cf. Roche v. Evaporated Milk Ass’n*, 319 U.S. 21, 25 (1943) (limiting mandamus authority to issuance of writs “in aid of a jurisdiction already acquired by appeal” or “to those cases which are within [our] appellate jurisdiction although no appeal has been perfected”).

Contrary to Baldwin’s apparent belief, this court did not remand Cause Number 1:23-CV-426 to the district court and cannot order the district court to reopen the case. *See id.*; *see also Baldwin*, 2024 WL 203985, 1. Although Baldwin sought to file an amended complaint in the closed case, there is no indication that the motion was filed or granted by the district court. To the extent Baldwin asks this court to order the defendant to file a response or to order the district court to enter a default judgment or submit an adjusted briefing schedule, she has not shown that she has a “‘clear and indisputable’” right to such relief. *See In re Willy*, 831 F.2d at 549.

With respect to Baldwin’s allegations that Judge Pitman should be recused, a party may seek review of a disqualification ruling by way of a mandamus petition. *In re Chevron U.S.A., Inc.*, 121 F.3d 163, 165 (5th Cir. 1997); *In re Corrugated Container Antitrust Litig. Steering Comm. v. Mead Corp.*, 614 F.2d 958, 961 n.4 (5th Cir. 1980). Nevertheless, mandamus relief is an “extraordinary remedy” justified only by “exceptional circumstances.”

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In re Corrugated Container, 614 F.2d at 961-62 (internal quotation marks and citation omitted). As mandamus seeks to direct a public official to perform a duty required by law, it “will not issue to correct a duty that is to any degree debatable.” *Id.* at 962 (internal quotation marks and citation omitted).

Recusal of judges for bias is governed by 28 U.S.C. § 144 and 28 U.S.C. § 455. *United States v. Scroggins*, 485 F.3d 824, 829 & n.19 (5th Cir. 2007). Under either statute, bias warranting disqualification must be personal, rather than judicial. *Id.* at 830. Adverse rulings on motions ordinarily do not warrant disqualification for bias; they must “reveal an opinion based on an extrajudicial source” or “demonstrate such a high degree of antagonism as to make fair judgment impossible.” *Id.* Baldwin asserts that Judge Pitman is biased because she named him as a defendant in a lawsuit challenging his actions in ruling against her in previous attempts to seek relief on the same grounds. She also contends that the judge’s integrity is questionable because he relied upon his own prior order issuing a pre-filing injunction. Baldwin has not shown “exceptional circumstances” warranting mandamus relief. *See In re Corrugated Container*, 614 F.2d at 961-62 (internal quotation marks and citation omitted).

The petition for a writ of mandamus is DENIED. Baldwin has previously been warned “that any further attempts to challenge the denial of benefits arising from her injuries in 2006 and 2007, against any party, will invite the imposition of sanctions.” *Baldwin*, 2024 WL 203985, 1. She is further WARNED that the future filing of repetitive or frivolous pleadings in this court, including frivolous mandamus petitions, may result in the imposition of sanctions, including dismissal, monetary sanctions, and restrictions on her ability to file pleadings in this court and any court subject to this court’s jurisdiction.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
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Suite 115
NEW ORLEANS, LA 70130

July 30, 2026

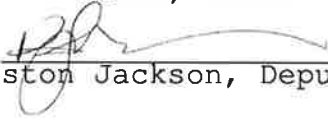
MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 26-50167 In re: Linda Baldwin
USDC No. 1:23-CV-426

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

By: 
Kierston Jackson, Deputy Clerk

Ms. Linda Baldwin
Mr. Philip Devlin

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2026, a true and correct copy of this Application for an Extension of Time was served via First-Class U.S. Mail, postage prepaid, upon all opposing parties or counsel of record listed below:

Judge Robert Pitman
501 West 5th Street,
Suite 5300,
Austin, TX 78701

Respectfully Submitted



Linda Baldwin
512 284-6643
601 Rollaway Drive # B
Round Rock, Texas 78681

Itistime3@yahoo.com