No. 26A_____

IN THE SUPREME COURT OF THE UNITED STATES

IN RE RICH P. SUCCESSFUL

Minister Rich P. Successful, Applicant

On Application to Extend Time to Petition for a Writ of Certiorari to the United States Court of Appeals for the Eleventh Circuit

Eleventh Circuit No. 25-13237

APPLICATION FOR A SIXTY-DAY EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI

Minister Rich P. Successful

Applicant, Pro Se

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OCT 27 2026
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SUPREME COURT, U.S.

To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eleventh Circuit:

COMES NOW Applicant Minister Rich P. Successful, proceeding Pro Se, and applies under 28 U.S.C. § 2101(c) and Supreme Court Rules 13.5, 22, and 30 for a sixty-day extension of time to file a petition for a writ of certiorari in Eleventh Circuit No. 25-13237, with the resulting filing date of January 19, 2027 under Rule 30.1.

JURISDICTION AND TIME FOR FILING

This Court's jurisdiction will be invoked under 28 U.S.C. § 1254(1). The Eleventh Circuit denied Applicant's mandamus petition on April 21, 2026, and denied his petition for panel rehearing and rehearing en banc, construed as a motion for reconsideration, on August 21, 2026. **Copies of those orders accompany this application as Appendices A and B.** Under Rules 13.3 and 30.1, the current deadline is November 19, 2026. The requested sixty-day period ends on January 18, 2027, a federal legal holiday. Under Rule 30.1, the resulting filing date is January 19, 2027. Applicant submits this application in advance of the ten-day requirement of Rules 13.5 and 30.2. Section 2101(c) and Rule 13.5 authorize an extension of up to sixty days for good cause. See Missouri v. Jenkins, 495 U.S. 33, 45 & n.14 (1990). Applicant relies on the particular record-review and preparation tasks set out below.

SPECIFIC GROUNDS FOR THE REQUESTED EXTENSION

This petition concerns the treatment of Applicant's recusal and structural due process arguments and the adequacy of alternative remedies. Preparing the petition requires tracing the relevant rulings and their procedural consequences across related proceedings, identifying the record materials bearing on the denial of mandamus, and preparing a focused statement of the questions presented. **The related proceedings include District Court Case Nos. 2:25-cv-00254-SCJ, 2:25-cv-00278-SCJ, 2:25-cv-00281-SCJ, 2:26-cv-00109-SCJ, and 2:26-cv-00161-SCJ, assigned to Judge Steve C. Jones, and Bankruptcy Case No. 2:25-bk-21181-JRS, before Judge James R. Sacca.** These proceedings require review to determine which orders and materials are pertinent to the particular questions presented in this petition. Applicant must distinguish the issues and procedural records in companion **Eleventh Circuit Mandamus Proceeding Nos. 25-13237 and 25-13249.** The former concerns recusal and the asserted structural due process consequences of continued adjudication; the latter concerns the adequacy of alternative appellate remedies following the completed eviction. **Each petition requires its own questions presented, procedural account, and selection of appendix materials.** Applicant proceeds without counsel and personally performs the record review, drafting, appendix assembly, formatting, copying, and service required for submission. **The requested period will permit Applicant to**

reconcile the relevant chronology, check record citations, identify the orders necessary for review, and prepare the petition and appendix in accordance with Rules 14, 29, and the applicable provisions of Rules 33 and 34. The scope of the related record and the distinct preparation required for these companion proceedings support the full sixty days requested. Applicant seeks this time in good faith to complete the identified work and submit a compliant petition. The extension is requested solely for Applicant Minister Rich P. Successful.

RELIEF REQUESTED

WHEREFORE, Applicant requests a sixty-day extension of time, with the resulting filing date of January 19, 2027 under Rule 30.1, to file his petition for a writ of certiorari, or such shorter extension as the Circuit Justice grants.

Respectfully submitted this 20th day of October 2026.

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APPENDIX CONTENTS

Appendix A

Eleventh Circuit order denying mandamus April 21, 2026, Case No. 25-13237

Seven pages

Appendix B

Eleventh Circuit order denying rehearing, construed as reconsideration, August 21, 2026, Case No. 25-13237

Five pages

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-13237

In re: RICH P. SUCCESSFUL,

Petitioner.

On Petition for Writ of Mandamus to the
United States District Court for the
Northern District of Georgia
D.C. Docket No. 2:25-cv-00254-SCJ

Before JILL PRYOR, NEWSOM, and GRANT, Circuit Judges.

BY THE COURT:

Rich Successful, proceeding pro se, petitions this Court for a writ of mandamus arising out of several proceedings he initiated in the U.S. District Court for the Northern District of Georgia, Gainesville Division, and the U.S. Bankruptcy Court for the Northern District of Georgia. The gravamen of Successful's mandamus

petition is that District Court Judge Steve Jones, who presides over Successful's district court actions, is an "interested party" whose recusal is required by law because he continues to preside over Successful's cases while Successful challenges his rulings and impartiality on appeal in this Court. As relief, Successful requests that this Court: (1) direct Judge Jones to disqualify himself from all proceedings in which Successful is a party; (2) direct the Chief Judge of the U.S. District Court for the Northern District of Georgia to reassign Successful's proceedings to the U.S. District Court for the Northern District of Georgia, Atlanta Division; (3) stay all of Successful's proceedings before Judge Jones pending the reassignment of his cases; and (4) stay a "reprimand hearing" scheduled in one of Successful's bankruptcy cases for September 25, 2025, until Successful's district court cases are reassigned. Successful has filed a motion to "vacate prior frivolous determination," in which he asks this Court to vacate its determination in its order denying Successful's motion to proceed in forma pauperis ("IFP") that his mandamus petition is frivolous.

A United States court may authorize the commencement of any proceeding, without prepayment of fees, by a person who submits an affidavit that includes a statement of assets that he possesses and indicates that he is unable to pay such fees. 28 U.S.C. § 1915(a). This Court, however, may dismiss an action at any time if it determines that the allegation of poverty is untrue, or if the action or appeal is frivolous. *Id.* § 1915(e)(2). Under 11th Cir. R. 27-3, "[a] party may file only one motion for reconsideration with respect to the same order. Likewise, a party may not request reconsideration

of an order disposing of a motion for reconsideration previously filed by that party." 11th Cir. R. 27-3.

Mandamus is available only in drastic situations, when no other adequate means are available to remedy a clear usurpation of power or abuse of discretion. *United States v. Shalhoub*, 855 F.3d 1255, 1259 (11th Cir. 2017); *Jackson v. Motel 6 Multipurpose, Inc.*, 130 F.3d 999, 1004 (11th Cir. 1997). The petitioner has the burden of showing that he has no other avenue of relief, and that his right to relief is clear and indisputable. *See Mallard v. U.S. Dist. Court*, 490 U.S. 296, 309 (1989).

Two federal statutes, 28 U.S.C. §§ 144 and 455, govern recusal. *Hamm v. Bd. of Regents*, 708 F.2d 647, 651 (11th Cir. 1983). Under § 455(a), (b)(1), a judge must "disqualify himself in any proceeding in which his impartiality might reasonably be questioned" or in any circumstances "[w]here he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding." 28 U.S.C. § 455(a), (b)(1). Section 144 provides that a judge must recuse himself if a party to the proceeding makes a timely and sufficient showing by affidavit that the judge "has a personal bias or prejudice" against him. *Id.* § 144. Disqualification is only required when the alleged bias is personal in nature, that is, stemming from an extra-judicial source. *Loranger v. Stierheim*, 10 F.3d 776, 780 (11th Cir. 1994). Judicial rulings alone almost never constitute a valid basis for a bias or partiality motion. *Liteky v. United States*, 510 U.S. 540, 555 (1994). This Court has held that "a judge, having been assigned to

a case, should not recuse himself on unsupported, irrational, or highly tenuous speculation." *In re Moody*, 755 F.3d 891, 895 (11th Cir. 2014) (quoting *United States v. Greenough*, 782 F.2d 1556, 1558 (11th Cir. 1986)). A judge has just as much of a duty to not recuse himself when it is not appropriate to do so as he does to recuse himself when it is appropriate to do so. *Id.*

A district court's pre-judgment ruling on recusal or disqualification is reviewable upon appeal after issuance of a final judgment. *Steering Comm. v. Mead Corp. (In re Corrugated Container Antitrust Litig.)*, 614 F.2d 958, 960-62 (5th Cir. 1980). Accordingly, such a ruling is not reviewable on appeal until the litigation is final, though a writ of mandamus may issue to correct such a decision in "exceptional circumstances amounting to a judicial usurpation of power." *Id.* at 960-62 & n.4 (quotation marks omitted); *see id.* at 961-62 (declining to grant mandamus relief relating to a district court judge's refusal to recuse himself where full review of the issue was available on appeal); *see also Moody*, 755 F.3d at 897 (explaining that review of district court judge's refusal to recuse under mandamus authority was "even more stringent" than the ordinary abuse-of-discretion standard applicable to review on appeal of recusal issue, because the drastic remedy of mandamus was available only in exceptional circumstances). Where a judge's duty to recuse himself either is debatable or non-existent, a writ of mandamus will not issue to compel recusal. *Corrugated Container*, 614 F.2d at 960-62.

"[A] federal court has no authority to give opinions upon moot questions or abstract propositions, or to declare principles or rules of law which cannot affect the matter in issue in the case before it." *Zinni v. ER Solutions, Inc.*, 692 F.3d 1162, 1166 (11th Cir. 2012) (quotation marks omitted). "[A]n issue is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief." *Christian Coal. of Fla., Inc. v. United States*, 662 F.3d 1182, 1189 (11th Cir. 2011) (quotation marks omitted).

Here, Successful is not entitled to mandamus relief. As to Successful's request that this Court order Judge Jones disqualified from all of Successful's civil proceedings, Successful had the adequate alternative remedy of: (1) appealing the denial of his motions for recusal he filed in two of his district court actions; and (2) filing a motion for recusal in his remaining actions before Judge Jones. Additionally, Successful has not shown that he is entitled to have Judge Jones recused through mandamus. Successful contends that a structural conflict exists because Judge Jones has continued to preside over Successful's actions while Successful challenges Judge Jones's rulings on appeal. However, the fact that Successful has challenged Judge Jones's rulings on appeal does not mean that Judge Jones has an extra-judicial personal bias or prejudice against Successful that requires recusal. Moreover, Successful does not present any evidence that Judge Jones has a personal bias against him stemming from an extra-judicial source, as his only evidence of personal bias or partiality is Judge Jones's unfavorable rulings and the existence of Successful's appeal. Thus, Successful's

allegations do not make the stringent showing that Judge Jones has such a non-debatable duty to recuse himself that mandamus is an appropriate remedy, as Successful has failed to demonstrate "exceptional circumstances amounting to a judicial usurpation of power." Because Successful has not shown that he is entitled to the recusal of Judge Jones through mandamus, he has also failed to show that he has a clear and indisputable right to have this Court: (1) direct the Chief Judge of the U.S. District Court for the Northern District of Georgia to reassign his cases to a judge in the Atlanta Division; or (2) stay the proceedings before Judge Jones pending the reassignment of his case to a new judge.

As to Successful's request that this Court stay the September 25, 2025, "reprimand hearing" in the bankruptcy court, the request is moot, as the hearing has already occurred.

Accordingly, Successful's mandamus petition is hereby **DENIED**. As to Successful's "motion to vacate prior frivolous determination," Successful is correct that, while this Court previously assessed his mandamus petition for frivolity under 28 U.S.C. § 1915 when ruling on his motion to proceed IFP, his mandamus petition must now be resolved on the merits because he has paid the filing fee. However, just because Successful has paid the filing fee does not mean that this Court has to vacate its prior order denying his motion for IFP. Moreover, to the extent that Successful argues that the Court's order denying his motion for IFP should be vacated because the Court improperly held that Successful's mandamus petition is frivolous, such an argument is prohibited under 11th Cir. R.

27-3's prohibition of successive motions for reconsideration, as Successful already filed a motion for reconsideration of this Court's denial of his IFP motion. Accordingly, Successful's "motion to vacate prior frivolous determination" is hereby **DENIED.**

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-13237

In re: RICH P. SUCCESSFUL,

Petitioner.

On Petition for Writ of Mandamus to the
United States District Court for the
Northern District of Georgia
D.C. Docket No. 2:25-cv-00254-SCJ

Before JILL PRYOR, NEWSOM, and GRANT, Circuit Judges.

BY THE COURT:

Rich Successful, proceeding pro se, has filed a "petition for panel rehearing and rehearing en banc" of this Court's denial of his mandamus petition. Successful's mandamus petition arose out of several proceedings in the U.S. District Court for the Northern District of Georgia. The gravamen of Successful's petition was that

the district court judge who presided over his cases was an "interested party" who needed to be recused because he continued to preside over Successful's cases while Successful challenged his rulings and impartiality on appeal in this Court. As relief, Successful requested, among other things, that this Court order the recusal of the presiding district court judge.

This Court held that Successful was not entitled to mandamus relief because he had the adequate alternative remedies of: (1) appealing the district court's denial of motions for recusal he filed in two of his cases; and (2) filing a motion for recusal in his remaining actions before the district court. This Court further held that "the fact that Successful has challenged [the district court's] ruling on appeal does not mean that [the district court] has an extrajudicial personal bias or prejudice against Successful that requires recusal." Finally, this Court held that Successful did not present evidence that the district court had a personal bias against him, as the only evidence Successful presented was the district court's unfavorable rulings and the existence of Successful's appeal. Accordingly, the court denied Successful's mandamus petition on the merits.

In his instant pro se "petition for panel rehearing or rehearing en banc," Successful asserts that this Court misapprehended his recusal claim because, rather than raising a recusal claim of "ordinary judicial bias," he "raised a [distinct] structural due process issue" regarding "whether a judge may continue to preside over proceedings while his impartiality and rulings are simultaneously

under active appellate challenge in related matters, creating an objectively intolerable risk of bias.

Successful further posits that this Court improperly held that he had the adequate alternative remedy of appealing the denial of his motions for recusal, as the harm created by a "structural due process violation" arises from "the continuation of proceedings before a potentially disqualified adjudicator" and "cannot be retroactively cured through appeal because the injury lies in the process itself." He asserts that, "[b]ecause the Court's adequate remedy analysis is premised on a framework governing ordinary bias claims, it does not resolve whether mandamus relief is appropriate under the structural due process principles actually presented."

As relief, Successful requests that this Court vacate the order denying his mandamus petition and grant a panel rehearing or rehearing en banc of his petition. If the Court does not grant his requests for a panel rehearing or rehearing en banc, Successful alternatively asks that this Court provide "clarification as to whether the structural due process framework articulated in *Caperton*" governs the facts of his case.

Here, as an initial matter, Successful's "petition for panel rehearing and rehearing en banc" is construed as a motion for reconsideration of the denial of his mandamus petition because, under this Court's rules, a petition for rehearing en banc of an unpublished order dismissing an appeal or petition will not be considered en banc, but will instead "be referred as a motion for

reconsideration to the judge or panel that entered the order sought to be reheard."

As to the merits of Successful's construed motion, this Court did not misapprehend Successful's argument that the district court judge should not preside over Successful's cases while Successful challenges his rulings on appeal. Instead, this Court expressly addressed Successful's argument by holding that "the fact that Successful has challenged [the district court's] ruling on appeal does not mean that [the district court] has an extra-judicial personal bias or prejudice against Successful that requires recusal."

Additionally, Successful's argument that this Court applied the wrong legal standard to his petition is incorrect. First, this Court applied the specific statutory standards in 28 U.S.C. §§ 144 and 455 governing recusal of district court judges, which are stricter than the general constitutional standards governing recusal. Second, Successful's claim fails under the *Caperton* standards because the mere fact that a party has a pending appeal challenging a judge's rulings or impartiality does not create an objective and constitutionally intolerable risk of bias requiring recusal. Thus, this Court correctly determined that Successful did not demonstrate exceptional circumstances warranting the recusal of the district court judge through mandamus.

This Court also correctly held that recusal was not appropriate through mandamus because Successful had the adequate alternative remedies of: (1) appealing the denial of his motions for recusal he filed in two of his district court actions; and (2) filing a

motion for recusal in his remaining cases in which he had not moved for the district court's recusal. Therefore, Successful's argument that this Court analyzed his mandamus petition under § 1915's frivolousness standard is incorrect, as the Court properly denied his petition on the merits after holding that he was not entitled to the recusal of the district court through mandamus.

Accordingly, Successful's construed motion for reconsideration is hereby **DENIED**, as he has failed to show any point of law or fact that this Court misapprehended or overlooked in denying his mandamus petition.

DECLARATION OF SERVICE

I declare under penalty of perjury that on October 20, 2026, I served a true and correct copy of the **Application for a Sixty-Day Extension of Time to File a Petition for a Writ of Certiorari** concerning Eleventh Circuit No. 25-13237, including its appendices, on all parties required to be served under Supreme Court Rule 29, as identified in the service list below. Method of paper service: *United States Postal Services.* The method used was at least as expeditious as the method used to file the application with the Court. An electronic copy was also transmitted to recipients whose electronic service addresses were known or reasonably identifiable, unless the Rule 29.3 exception applied. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 20th day of October 2026.

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SERVICE LIST

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