No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

HARISADHAN PATRA and PETULA VAZ,
Petitioners,

v.

PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION, et al.,
Respondents

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Third Circuit (No. 25-2917)

APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI

To the Honorable **Samuel A. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the United States Court of Appeals for the Third Circuit**:

Petitioners Harisadhan Patra and Petula Vaz respectfully apply, pursuant to Supreme Court Rules 13.5 and 22, for an extension of sixty (60) days within which to file a Petition for a Writ of Certiorari seeking review of the judgment of the United States Court of Appeals for the Third Circuit.

The Third Circuit denied Petitioners' timely petition for rehearing on **August 24, 2026**. Under Supreme Court Rule 13.3, the time for filing a petition for a writ of certiorari runs from the date rehearing is denied. Accordingly, Petitioners' current

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deadline to file a petition for writ of certiorari is **November 22, 2026**. Petitioners respectfully request that the deadline be extended by the maximum period authorized by Rule 13.5, namely sixty (60) days, up to and including **January 21, 2027**. This application is made in good faith, showing good cause, and not for purposes of delay.

BASIS FOR JURISDICTION

Petitioners seek review of a final judgment of the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. § 1254(1). The Third Circuit entered judgment in this matter and subsequently denied rehearing on August 24, 2026. This Court therefore has jurisdiction to review the decision by writ of certiorari under 28 U.S.C. § 1254(1).

Copies of the Third Circuit opinion and order denying rehearing are attached as required by Rule 13.5.

REASONS JUSTIFYING AN EXTENSION OF TIME

Good cause exists for the requested extension.

1. Petitioners Were Required to Relocate Across State Lines for Employment Immediately Before the Rehearing Denial

Petitioners are a married couple proceeding without counsel. Shortly before the Third Circuit denied rehearing, Petitioners secured new employment in the Athens, Ohio area. Petitioner Vaz's employment commenced on **August 24, 2026**, the same day the Third Circuit denied rehearing, while Petitioner Patra's employment

commenced about two days later. Because employment was necessary to provide for their basic financial needs and satisfy household obligations, Petitioners were required to prioritize relocation and job-related responsibilities.

The relocation required Petitioners to move from Bloomsburg, Pennsylvania, to the Athens, Ohio, area. Travel between their Pennsylvania residence and their Ohio residence involved approximately 412 to 467 miles, according to Google Maps, depending upon the route selected. Although Google Maps estimated travel times of approximately 6.25 to 7 hours, actual travel typically exceeded seven hours each way because of traffic congestion, highway construction, fuel stops, meal breaks, and other necessities associated with long-distance travel.

The period immediately following the denial of rehearing was occupied by employment onboarding, mandatory training requirements, the search for rental housing, execution of a lease, movement of personal property, establishment of a new household, and adaptation to new employment responsibilities.

Petitioners were unable to secure a rental residence in the Athens area before commencing their employment and were not able to lease and move into their Ohio rental residence until September 1, 2026. Consequently, even after securing housing, Petitioners spent multiple weekends throughout September and October 2026 transporting household belongings from Pennsylvania to Ohio and addressing matters arising from the interstate relocation. Given the distance involved, these trips

consumed a substantial portion of each weekend and significantly reduced the time available to research the legal issues, review the record, and prepare a petition for a writ of certiorari.

2. Petitioners Are Proceeding Pro Se and Lack Financial Resources to Retain Counsel at Present

Petitioners are proceeding pro se and do not currently have legal representation. Because Petitioners recently incurred significant expenses related to relocation, housing, transportation, and employment transition, they cannot presently afford counsel to prepare a petition for a writ of certiorari.

Preparation of a certiorari petition requires substantial legal research, review of a lengthy record, analysis of multiple lower-court decisions, and careful drafting. Petitioners therefore require additional time to prepare a petition that fairly and accurately presents the relevant facts and legal issues.

3. Petitioners Continue to Maintain Their Pennsylvania Residence

Petitioners continue to own a residence in Pennsylvania, where they have lived for many years. Due to financial and practical constraints associated with the recent relocation, Petitioners have been unable to rent the property or make arrangements for professional property management. Petitioners hope ultimately to return when employment opportunities become available nearer to the property.

As a result, Petitioners must periodically travel from Ohio to Pennsylvania on weekends and holidays to inspect, secure, and maintain the property, perform lawn care, address maintenance issues, and ensure that the residence remains in good condition. Such trips generally require more than seven hours of travel in each direction. A typical round trip requires more than fourteen hours of travel time alone, excluding the time necessary to perform maintenance, inspections, repairs, and other property-related activities.

These recurring obligations consumed substantial time during the relevant period and further limited Petitioners' ability to devote sustained attention to preparation of a petition for a writ of certiorari.

4. Petitioners Have Only Recently Been Able to Begin Preparing Supreme Court Filings

Until recently, the combined demands of commencing new employment, completing an interstate relocation, transporting household belongings, establishing a new household, and maintaining Petitioners' Pennsylvania residence left Petitioners with little meaningful opportunity to focus on Supreme Court proceedings.

Only after becoming reasonably settled in their new employment and living arrangements were Petitioners able to begin addressing Supreme Court filing requirements. This application for extension is the first filing Petitioners have been

able to prepare since becoming sufficiently settled to devote meaningful time and attention to the matter.

5. The Prospective Petition Raises Significant Issues Requiring Careful Preparation

The contemplated petition raises important questions concerning judicial impartiality, due process, and the standards governing allegations of fraud upon the court.

These issues arise from an extensive procedural history and require careful review of a substantial record and multiple lower-court rulings. Petitioners respectfully submit that additional time is necessary to prepare a petition that accurately and fairly presents the relevant facts and legal issues for this Court's consideration.

6. Petitioners Previously Complied with an Earlier Extension Granted by This Court

Petitioners previously obtained an extension of time from this Court in earlier proceedings arising from the same litigation. Petitioners thereafter timely filed their petition for a writ of certiorari, No. 23-1198, within the extended deadline established by the Court. Petitioners respectfully submit that their prior compliance with this Court's deadline demonstrates diligence and good faith.

7. This Request Is Made in Good Faith

This application is not intended to delay proceedings. Rather, Petitioners respectfully

submit that the circumstances described above constitute good cause for the requested extension under Rule 13.5.

Granting the requested extension would permit Petitioners a fair opportunity to prepare and file a meaningful petition for a writ of certiorari while accommodating the extraordinary practical demands associated with Petitioners' recent interstate relocation, commencement of new employment, ongoing property-maintenance obligations, and pro se status.

CONCLUSION

For the foregoing reasons, Petitioners respectfully request that the time within which to file a petition for a writ of certiorari be extended by sixty (60) days, up to and including **January 21, 2027**.

Respectfully submitted by,

Date: 10/26/2026

Harisadhan Patra

Harisadhan Patra, Pro Se Plaintiff/Petitioner

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Petula C.M. Vaz

Petula Vaz, Pro Se Plaintiff/Petitioner

CERTIFICATE OF SERVICE

We hereby certify that on October 26, 2026, we caused a true and correct copy of the foregoing **Application for Extension of Time to File a Petition for a Writ of Certiorari** and all accompanying appendices to be served upon counsel for Respondents by depositing the same in the United States Mail, postage prepaid, addressed as follows:

Michael J. Scarinci (mscarinci@attorneygeneral.gov)
Counsel for Defendants/Respondents
PA Office of Attorney General
15th Floor, Strawberry Square, Harrisburg, PA 17120
Phone: 717-857-2184

We further certify that service has been made upon all parties required to be served under the Rules of the Supreme Court of the United States.

Respectfully submitted by,

Date: 10/26/2026

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Petula E. M Vaz

Petula Vaz, Pro Se Plaintiff/Petitioner

Appendix - 1

Opinion
of the Hon. Third Circuit Court of Appeals

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 25-2917

HARISADHAN PATRA; PETULA VAZ,
Appellants

v.

PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION; BLOOMSBURG UNIVERSITY; FRANK T. BROGAN, individually and in his official capacity as Chancellor; DAVID SOLTZ, individually and in his official capacity as President of Bloomsburg; RICHARD ANGELO; JORGE E. GONZALEZ; IRA BLAKE; ROBERT P. MARANDE; THOMAS R. ZALEWSKI

On Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Civil Action No. 4:14-cv-02265)
District Judge: Honorable Matthew W. Brann

Submitted Pursuant to Third Circuit L.A.R. 34.1(a)
April 23, 2026

Before: KRAUSE, RESTREPO, and PORTER, *Circuit Judges*

(Opinion filed: April 29, 2026)

OPINION*

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* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

PER CURIAM

Harisadhan Patra and Petula Vaz ("Appellants") appeal pro se from the District Court's decision denying their motion filed pursuant to Federal Rule of Civil Procedure 60 in this employment-related civil-rights case. We will affirm that judgment.

I.

Appellants, who are married, were hired as professors by Bloomsburg University ("Bloomsburg") in 2010. In 2014, Appellants were notified that their contracts at Bloomsburg would not be renewed. Later that year, Appellants sued Appellees (Bloomsburg, the Pennsylvania State System of Higher Education, and several individuals), alleging, inter alia, discrimination and retaliation. Appellees later moved for summary judgment. In opposing that motion, Appellants argued, inter alia, that Appellees had committed fraud on the court by falsifying and withholding evidence, and that Appellees' lawyers had "failed to comply with their Duty of Candor/Professional Obligations." Dist. Ct. Dkt. No. 103, at 41-42 n.49.

In 2020, the District Court granted Appellees' motion for summary judgment. On appeal from that judgment, Appellants argued, inter alia, that "Movants/Defense knowingly pursued an unjustified [motion for summary judgment] and committed Fraud-on-the-Court by inviting the [District] Court to commit judicial errors and impairing the [District] Court's ability to impartially adjudicate the case." Appellants' Opening Br. 74 in C.A. No. 20-2320. In 2023, we affirmed the District Court's judgment, explaining that each of Appellants' causes of action lacked merit. *See Patra v. Pa. State Sys. of Higher*

Educ., No. 20-2320, 2023 WL 4618292, at *3-6 (3d Cir. July 19, 2023) (per curiam) [hereinafter *Patra I*]. Appellants then filed in our Court a petition for rehearing and rehearing en banc, as well as a request for permission to file a "fraud-on-the-court" motion. We denied both of those. Appellants then moved to stay the issuance of our mandate, arguing, inter alia, that Appellees had made "falsifications and fabricated evidence," and that Appellees' attorneys knowingly used that evidence "to file and win summary judgment, committing fraud-on-the-Court." Dkt. No. 47, at 5-6, in C.A. No. 20-2320 (emphasis omitted). We denied that motion, and then our mandate issued.

Next, Appellants petitioned our Court for a writ of mandamus, reiterating their fraud-on-the-court allegations. We denied that petition. *See In re Patra*, No. 24-1168, 2024 WL 1070260, at *1 (3d Cir. Mar. 12, 2024) (per curiam). Appellants then petitioned the United States Supreme Court for a writ of certiorari in connection with *Patra I*, arguing, inter alia, that Appellees had committed perjury in this case, and that Appellees' attorneys had knowingly used that evidence in the District Court and our Court. The Supreme Court denied Appellants' certiorari petition in June 2024.

Undeterred, in June 2025 — a little over five years after the District Court's summary-judgment decision — Appellants moved the District Court to vacate that judgment pursuant to Federal Rule of Civil Procedure 60. Attached to that motion were affidavits from Appellants totaling more than 400 pages, over a thousand pages of other exhibits, and a request for the District Court to take judicial notice of the affidavits and "all records (including all pleadings and papers on file in this action, the information

presented to the Court on this matter, and all other matters upon which the Court may rely)." Dist. Ct. Dkt. No. 117-10, at 1. Appellants' Rule 60 motion specifically pointed to subsections (b)(1), (b)(2), (b)(3), and (b)(6), and their brief in support of that motion alleged that Appellees' attorneys, acting "in concert with [Appellees], engage[d] in misrepresentations, misconduct, fraud, and [fraud on the court] to unfairly obtain judgments." Dist. Ct. Dkt. No. 119, at 9.

Appellees opposed Appellants' Rule 60 motion, arguing that Appellants' requests for relief under subsections (b)(1), (b)(2), and (b)(3) were untimely, and that Appellants "fail[ed] to present a reason that justifies relief that is separate from the reasons presented as part of their arguments related to Rule 60(b)(1)-(3)." Dist. Ct. Dkt. No. 120, at 3. Appellants then filed the following: (1) a reply in support of their Rule 60 motion, clarifying that they were also seeking relief under subsections (b)(4), (d)(1), and (d)(3), and (2) a motion asking the District Court to take judicial notice of facts "drawn from the official record of this case, including . . . evidence previously submitted in support of [Appellants'] Rule 60(b)-(d) motion." Dist. Ct. Dkt. No. 124, at 1 (emphasis omitted).

Thereafter, on September 2, 2025, the District Court denied Appellants' Rule 60 motion and their motion for judicial notice. In doing so, the District Court explained that Appellants' Rule 60 motion, "which borders on nonsensical[,] fails to sustain the heavy burden required to prove fraud on the court, and the Court finds no evidence in the record to support the allegations of fraud. Nor is this Court able to discern from the record 'any other reason that justifies relief.'" Dist. Ct. Dkt. No. 126, at 2 (quoting Fed. R. Civ. P.

60(b)(6)). Appellants then filed this timely appeal, challenging the District Court's September 2, 2025 decision.

II.

We have jurisdiction over this appeal pursuant to 28 U.S.C. § 1291. Generally, we review a district court's denial of a motion filed pursuant to Rule 60(b) and/or Rule 60(d) for abuse of discretion, *see Jackson v. Danberg*, 656 F.3d 157, 162 (3d Cir. 2011); however, "we review legal determinations de novo and factual determinations for clear error," *Herrera v. Agents of Pa. Bd. of Prob. & Parole*, 132 F.4th 248, 254 n.5 (3d Cir. 2025), and we exercise plenary review over a district court's denial of relief under Rule 60(b)(4), *Budget Blinds, Inc. v. White*, 536 F.3d 244, 251 n.5 (3d Cir. 2008). We also review for abuse of discretion a district court's decision whether to take judicial notice. *In re NAHC, Inc. Sec. Litig.*, 306 F.3d 1314, 1323 (3d Cir. 2002). We may affirm a district court's judgment on any basis supported by the record. *See Murray v. Bledsoe*, 650 F.3d 246, 247 (3d Cir. 2011) (per curiam).

We see no reason to disturb the District Court's September 2, 2025 judgment. For one thing, the District Court did not abuse its discretion by denying Appellants' motion for judicial notice, as Appellants failed to establish a basis for taking judicial notice of their hundreds of pages of affidavits and/or the mountain of other documents upon which their Rule 60 motion purported to rely. *See generally Werner v. Werner*, 267 F.3d 288, 295 (3d Cir. 2001) ("A court may take judicial notice of an adjudicative fact *if that fact is not subject to reasonable dispute*." (emphasis added)). Furthermore, assuming for the

sake of argument that Appellants have preserved challenges under all the Rule 60 subsections referenced earlier in this opinion, we conclude that, for the reasons that follow, Appellants have failed to show that they are entitled to relief under any of those subsections.

We begin with Appellants' requests for relief under certain parts of Rule 60(b). Relief under subsections (b)(1), (b)(2), and (b)(3) must be sought within one year of the order or judgment from which the movants seek relief, *see* Fed. R. Civ. P. 60(c)(1), but Appellants did not file their Rule 60 motion until more than *five* years after the District Court's judgment in question. As for Rule 60 motions brought under subsections (b)(4) and/or (b)(6), they must be filed within a "reasonable time." *See* Fed. R. Civ. P. 60(c)(1); *Coney Island Auto Parts Unlimited, Inc. v. Burton*, 146 S. Ct. 579, 582 (2026) (addressing motion filed under subsection (b)(4)); *Martinez-McBean v. Gov't of V.I.*, 562 F.2d 908, 913 n.7 (3d Cir. 1977) (addressing motion filed under subsection (b)(6)). "What constitutes a 'reasonable time' . . . is to be decided under the circumstances of each case." *Taylor v. Comm'r of Pa. Dep't of Corr.*, 150 F.4th 188, 193 (3d Cir. 2025) (ellipsis in original) (quoting *Delzona Corp. v. Sacks*, 265 F.2d 157, 159 (3d Cir. 1959)). Under the circumstances of this case, we cannot conclude that it was reasonable for Appellants to wait five years to file their Rule 60 motion, especially since their allegations of fraud and other misconduct appeared to echo allegations that they had previously presented on numerous occasions (including before the District Court entered the 2020 judgment that is the subject of their motion). *Cf. Moolenaar v. Gov't of V.I.*,

822 F.2d 1342, 1348 (3d Cir. 1987) (concluding that a Rule 60(b)(6) motion filed less than two years after the district court's initial judgment was not filed within a reasonable time). Accordingly, Appellants' requests for relief under subsections (b)(1), (b)(2), (b)(3), (b)(4), and (b)(6) were all untimely.

We now turn to Appellants' requests for relief under subsections (d)(1) and (d)(3) of Rule 60. Those subsections provide that Rule 60 does not limit a court's power to "entertain an independent action to relieve a party from a judgment, order, or proceeding," Fed. R. Civ. P. 60(d)(1), or "set aside a judgment for fraud on the court," Fed. R. Civ. P. 60(d)(3). Here, Appellants' Rule 60 motion sought relief from the District Court's 2020 judgment based on allegations that Appellees and their attorneys had committed fraud on the court and other misconduct. But such relief is warranted only if it is "supported by clear, unequivocal and convincing evidence." *In re Bressman*, 874 F.3d 142, 150 (3d Cir. 2017) (quoting *Herring v. United States*, 424 F.3d 384, 387 (3d Cir. 2005)). Appellants have not met that exacting standard.

In view of the above, we will affirm the District Court's September 2, 2025 judgment.[1]

[1] Appellants' motion to expedite the resolution of this appeal is denied, as is the motion for judicial notice that they filed in our Court. To the extent that Appellants seek any other relief from us, that relief is denied, too.

Appendix - 2

Order denying Petition for Rehearing
by the Hon. Third Circuit Court of Appeals

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 25-2917

HARISADHAN PATRA; PETULA VAZ,
Appellants

v.

PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION; BLOOMSBURG UNIVERSITY; FRANK T. BROGAN, individually and in his official capacity as Chancellor; DAVID SOLTZ, individually and in his official capacity as President of Bloomsburg; RICHARD ANGELO; JORGE E. GONZALEZ; IRA BLAKE; ROBERT P. MARANDE; THOMAS R. ZALEWSKI

(M.D. Pa. No. 4:14-cv-02265)

Present: KRAUSE, RESTREPO and PORTER, *Circuit Judges*

1. Motion filed by Appellant Harisadhan Patra for Judicial Notice.

Respectfully,
Clerk/lmr

ORDER

The motion for judicial notice is GRANTED. Federal Rule of Evidence 201 permits us to take judicial notice of "a fact that is not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b). We therefore take judicial notice of the *fact* that the statements described in Appellant's motion were made, as demonstrated by a video posted on the website of the Public Broadcasting System (PBS), the authenticity of which "cannot reasonably be questioned." *Id.* In contrast, we do not take judicial notice of the *truth* of the statements made. *See Jeffery v. City of New York*, 113 F.4th 176 (2d Cir. 2024) (taking "notice of news reports insofar as they demonstrate the sort of information available to City officials at the time of the challenged" action); *Arkansas Pub. Emps. Ret. Sys. v. Bristol-Myers Squibb Co.*, 28 F.4th 343, 352 (2d Cir. 2022) ("It is proper to take judicial notice of the *fact* that press coverage, prior lawsuits, or regulatory filings contained certain information, without regard to the truth of their contents. When the court takes judicial notice of documents, it must rely on such documents only for the fact that the statement was made." (citation modified)).

The petition for panel and en banc rehearing is DENIED. In determining whether recusal is warranted, we ask whether "a reasonable person, *with knowledge of all the facts*, would conclude that the judge's impartiality might reasonably be questioned." *Arrowpoint Cap. Corp. v. Arrowpoint Asset Mgmt., LLC*, 793 F.3d 313, 329 (3d Cir. 2015) (emphasis added) (citation modified). A single remark by a District Judge that might be construed to disparage a class of litigants, while unfortunate, does not necessarily require recusal in all cases involving such litigants. Simply put, one statement does not constitute "all the facts," *id.*, such that we can determine, without more, that recusal is warranted.

Accordingly, the petition for rehearing filed by Appellants Harisadhan Patra and Petula Vaz in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is DENIED.

By the Court,

s/David J. Porter
Circuit Judge

Dated: August 24, 2026
Lmr/cc: Harisadhan Patra
Petula Vaz
All Counsel of Record