App No. _____

In The
Supreme Court of the United States

JEEVAN MALHOTRA,

Applicant,

v.

AJIT KUMAR, ET AL.,

Respondents.

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

Eleventh Circuit No. 25-13898-JJ | District Court No. 2:24-cv-00945-SPC-NPM

Jeevan Malhotra, Applicant Pro Se

435 Pinehurst Drive,

Desplaines, IL - 60016

Tel: 336-904-3623

Email: JPM2478@Yahoo.com

Date: Nov 7th 2026

RECEIVED
NOV 12 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

APPLICATION FOR EXTENSION OF TIME

TO THE HONORABLE CLARENCE THOMAS, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE ELEVENTH CIRCUIT:

Applicant Jeevan Malhotra, proceeding pro se, respectfully applies under Rules 13.5 and 22 of the Rules of this Court for an extension of sixty (60) days, from December 21, 2026, through February 19, 2027, 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 Eleventh Circuit.

Jurisdiction and Relevant Dates

This Court's jurisdiction would be invoked under 28 U.S.C. § 1254(1). The Eleventh Circuit entered its opinion on August 24, 2026, in No. 25-13898. Applicant timely sought rehearing, which the Eleventh Circuit denied on September 22, 2026. Copies of the rehearing-denial order and opinion are to be attached as Appendices A and B, respectively.

Under Supreme Court Rule 13.3, the 90-day period runs from denial of timely rehearing. The current deadline is December 21, 2026. Applicant requests an extension through February 19, 2027. This application is submitted before the current deadline and, if filed at least ten days beforehand, satisfies the ordinary timing requirement of Rule 13.5.

Background

This case concerns the interpretation and application of Federal Rule of Civil Procedure 25(a)(1) following the death of a defendant. It raises an important federal question concerning conflicting interpretations among the United States Courts of Appeals regarding the commencement of the ninety-day substitution period when no legally authorized successor or personal representative has

been identified or appointed. Applicant intends to seek Supreme Court review to resolve these differing interpretations and promote uniform application of Rule 25 nationwide.

Applicant, Jeevan Malhotra, proceeding pro se, initiated a civil action in the United States District Court for the Middle District of Florida involving allegations of fraud, conspiracy, and other claims arising from fraudulent Will and disputed property transactions.

During the district court proceedings, Defendant Ajit Kumar passed away. A suggestion of death was filed on March 25, 2025 without identifying a successor or representative of the deceased. The district court subsequently dismissed the claims against the deceased Defendant pursuant to Federal Rule of Civil Procedure 25(a)(1), although the existence and identity of a legally authorized successor or personal representative remained disputed. The district court dismissed the case stating it is "unclear" if there is a successor or representative.

Applicant appealed to the United States Court of Appeals for the Eleventh Circuit, Case No. 25-13898. On August 24, 2026, the Eleventh Circuit affirmed the dismissal of the claims against Ajit Kumar and other rulings, while vacating and remanding the dismissal with prejudice as to Anand Dhull. Applicant's petition for rehearing was denied on September 22, 2026. The appellate court misapplied Rule 25(a)(1)'s 90-day dismissal provision without first resolving a legally significant factual question concerning the existence or identity of a successor or representative of the deceased party when one is easily identifiable and the court relied on statements of appellees' counsel.

Applicant intends to seek review by the Supreme Court concerning the differing interpretations of Rule 25(a)(1) among the federal Courts of Appeals, particularly regarding whether the ninety-day

substitution period may commence when no legally authorized successor or personal representative has been identified, appointed, or served. Applicant also intends to raise the application of Eleventh Circuit precedent concerning the determination of successor status under applicable state law.

Reasons For Granting an Extension of Time

Good cause exists because Applicant is proceeding without counsel and needs additional time to research and accurately frame the federal procedural issues raised by the Eleventh Circuit's disposition, review the relevant court orders and record, and prepare a petition that complies with this Court's rules.

Applicant has also been diligently seeking official documentation confirming the delivery of summons to Anand Dhull, a party to the underlying litigation who resides in India through procedures under the Hague Service Convention. Obtaining confirmation through foreign judicial channels has involved delay outside Applicant's direct control.

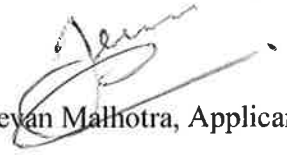
Applicant needs additional time to evaluate any confirmation received and determine whether, and through what proper procedure, it may bear on the questions Applicant intends to raise. Applicant does not ask the Court to decide disputed service facts in this application or suggest that materials outside the appellate record are automatically reviewable on certiorari.

The requested sixty-day extension is sought in good faith, not for delay, and would permit a careful and orderly presentation of the jurisdictional and procedural questions.

Relief Requested

For these reasons, Applicant respectfully requests an extension of sixty (60) days, to and including February 19, 2027, within which to file a petition for a writ of certiorari.

Respectfully submitted,



Jeevan Malhotra, Applicant Pro Se

Date: Nov 7th, 2026

PROOF OF SERVICE

I, Jeevan Malhotra, declare under penalty of perjury that on Nov 7th 2026, I served a copy of the foregoing Application for Extension of Time to File a Petition for a Writ of Certiorari, including its appendices, on counsel Erin Newell for all respondents by USPS Mail and my Email, addressed as follows:

Erin Pogue Newell

Open Book Appeals

100 SE 3rd Ave.,

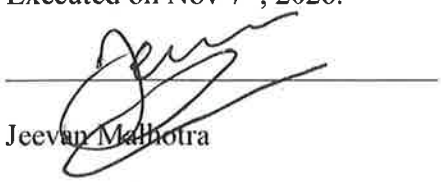
10th Floor Fort Lauderdale,

FL 33394 Tel: (954) 256-0073

E:enewell@openbookappeals.com

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

Executed on Nov 7th, 2026.



Jeevan Malhotra