IN THE SUPREME COURT OF THE UNITED STATES

In re ALAA ELKHARWILY, M.D.,

Petitioner,

v.

THE HONORABLE JOSEPH R. KLEIN, Judge of the District Court, Fourth Judicial District; CHIEF JUDGE KERRY W. MEYER, Fourth Judicial District;

Respondents.

HESHAM EL GHANNAM
Interested Party

No. A26-0693 (Minnesota Supreme Court)

[Supreme Court of the United States Docket Number: _____]

**[NOTE ON CAPTION AND PARTY IDENTIFICATION:**

This matter arises from an original extraordinary writ proceeding (Petition for Writ of Mandamus) in the Minnesota Court of Appeals and Supreme Court (Case No. A26-0693) seeking to prohibit the presiding trial judge from continuing in the petitioner's case, and compelling his removal and disqualification as mandatorily required by Minnesota law. The Minnesota Supreme Court's order utilized an erroneous, merged caption (*"In re Alaa Elkarwily aka Alaa Elkarwily, Petitioner, Hesham El Ghannam, vs. Respondent..."*). Petitioner herein corrects his legal name to **Alaa Elkharwily, M.D.**, and properly aligns all parties—including the judicial respondents and the real party in interest—as they appeared in the mandamus filed in the proceeding. See Exhibit 2. Notwithstanding Petitioner raising this error with both the Court of Appeals and the Supreme Court, both courts retained the incorrect caption and failed to address or correct the discrepancy.]

APPLICATION TO THE HONORABLE BRETT KAVANAUGH, CIRCUIT JUSTICE FOR THE EIGHTH CIRCUIT, FOR A 60-DAY EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF MINNESOTA



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SUPREME COURT, U.S.

To the Honorable Brett Kavanaugh, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eighth Circuit:

Pursuant to Supreme Court Rules 13.5 and 30, Petitioner Alaa Elkharwily, M.D., appearing pro se, respectfully requests a 60-day extension of time, up to and including January 23, 2027, within which to file a petition for a writ of certiorari to review the final order of the Supreme Court of Minnesota entered in this matter on August 26, 2026. Exhibit 1.

In support of this application, Petitioner states as follows:

1. BACKGROUND AND JURISDICTION

On August 26, 2026, the Supreme Court of Minnesota issued an order in Case No. A26-0693 denying further review. Under Supreme Court Rule 13.1, the time to file a petition for a writ of certiorari expires on November 24, 2026. This application is being filed at least 10 days prior to that expiration date, in full compliance with Rule 13.5. This Court has jurisdiction to review the judgment under 28 U.S.C. § 1257(a).

2. GOOD CAUSE FOR EXTENSION OF TIME

Petitioner respectfully submits that good cause exists to grant a 60-day extension of time for the following reasons:

a. Pro Se Status: Petitioner is proceeding pro se and is carrying the entire burden of researching complex federal constitutional and procedural issues, navigating

Supreme Court formatting rules, and drafting the petition without the assistance of legal counsel.

b. Extensive and Voluminous Record: The underlying proceedings involve an extensive and complex record spanning multiple lower courts, motion hearings, and prior extraordinary writ proceedings in Minnesota, which require meticulous review to ensure an accurate, truthful, and comprehensive presentation of the facts and legal questions to this Court.

c. Time Required for Diligent Preparation: Additional time is urgently required to thoroughly research applicable legal precedents, assemble the appendix, and prepare a coherent petition that properly assists this Court in evaluating the jurisdictional and due process questions presented.

3. RELIEF REQUESTED

For the foregoing reasons, Petitioner respectfully requests that an order be entered granting a 60-day extension of time, up to and including January 23, 2027, within which to file a petition for a writ of certiorari.

Dated: November 13, 2026

Respectfully submitted,

S/ Alaa Elkharwily 

Alaa Elkharwily, M.D., Petitioner, Pro Se
726 W 6th Ave # 303
Spokane, WA 99204
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Exhibit 1

STATE OF MINNESOTA

IN SUPREME COURT

A26-0693

FILED
OFFICE OF APPELLATE COURTS
Date: 2026.08.26 15:45:07 -05'00'

In re Alaa Elkarwily aka Alaa Elkarwily, Petitioner,

Hesham El Ghannam,

Respondent,

vs.

Alaa Elkarwily aka Alaa Elkarwily,

Petitioner,

Zales Discount L.L.C.,

Defendant.

O R D E R

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the motion of Alaa Elkarwily aka Alaa Elkarwily for leave to proceed in forma pauperis, under Minn. R. Civ. App. P. 109.04, is granted.[1]

IT IS FURTHER ORDERED that the petition of Alaa Elkarwily aka Alaa Elkarwily for further review is denied.

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[1] We note that Minn. R. Civ. App. P. 109.04 is specific to leave to proceed in forma pauperis before this court. Proceeding in forma pauperis in the court of appeals is separately governed by Minn. R. Civ. App. P. 109.02 and has distinct requirements.

Dated: August 26, 2026

BY THE COURT:



Natalie E. Hudson
Chief Justice

Exhibit 2

FILED
April 21, 2026
OFFICE OF
APPELLATE COURTS

No. _____

STATE OF MINNESOTA
IN COURT OF APPEALS

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Alaa Elkharwily, M.D.,

Petitioner,

v.

The Honorable Joseph R. Klein, Judge of the District Court, Fourth Judicial District, and the Chief Judge of the Fourth Judicial District,

Respondents.

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# PETITION FOR WRIT OF MANDAMUS

Original Proceeding
Hennepin County District Court
Fourth Judicial District
Court File No. 27-CV-25-8947

Alaa Elkharwily, M.D.
Defendant, Individual Pro se, and
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