

No —

IN THE
SUPREME COURT OF THE UNITED STATES

FIRST INTERSTATE BANK,

Petitioner,

v.

WALL STREET APARTMENTS LLC, et al, Respondents.

SCOTUS APPLICATION

Alaa Elkhawily (Petitioner)

v.

First Interstate Bank (RESPONDENT)

APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR A
WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

Alaa Elkhawily, MD

726 W 6th Ave, #303

Spokane, WA 99204

507-398-6735

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Re: U.S. Court of Appeals for the Ninth Circuit Case No. 24-5292

To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Ninth Circuit:

Pursuant to Rules 13.5 and 30.2 of this Court, Petitioner Alaa Elkhawily respectfully requests a 60-day extension of time, to and including **September 20, 2026**, to file a petition for a writ of certiorari in this case. The current 90-day deadline is July 22, 2026.

I. JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is the order of the United States Court of Appeals for the Ninth Circuit in *First Interstate Bank v. Wall Street Apartments LLC, et al.*, No. 24-5292, entered on April 23, 2026.

II. JURISDICTION

This Court has jurisdiction under 28 U.S.C. § 1254(1).

III. REASONS FOR THE EXTENSION

Good cause exists for the requested extension for the following reasons:

1. **Integrity of the Record:** Petitioner is currently reviewing the records upon which the Ninth Circuit's order was based. Petitioner has identified significant concerns regarding the completeness and accuracy of these records. Additional time is vital to ensure these discrepancies are properly

identified, documented, and presented with the precision required by this Court.

2. **Pro Se Status and Technical Complexity:** Petitioner is proceeding pro se. The legal issues involved—including jurisdictional questions and the application of pre-filing orders—are complex. Without the assistance of counsel, Petitioner requires the requested extension to perform the necessary legal research and ensure the petition meets the technical formatting requirements of this Court.
3. **Diligent Preparation:** Petitioner has been diligent in pursuing this matter. However, given the need to reconcile the record and the complexity of the underlying procedural history, additional time is required to prepare a petition that will be of assistance to the Court.

IV. CONCLUSION

Petitioner respectfully requests that the time to file a petition for a writ of certiorari be extended by 60 days, to and including September 20, 2026.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that the Declaration, Appendix and its Exhibits attached hereto are true and correct copies.

Respectfully submitted,

Executed on July 12, 2026, at Spokane, Washington



S/ Alaa Elkharwily

Alaa Elkharwily, MD

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UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

APR 23 2026

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FIRST INTERSTATE BANK, a Montana
state chartered bank,

Plaintiff - Appellee,

v.

WALL STREET APARTMENTS LLC, a
Washington limited liability company,

Defendant – Appellant.

ALAA ELKHARWILY,

Interested Party - Appellant.

No. 24-5292

D.C. No.

2:24-cv-00287-TOR

Eastern District of Washington,
Spokane

ORDER

Before: SILVERMAN, BENNETT, and SANCHEZ, Circuit Judges.

The motion (Docket Entry No. 8) to consolidate is denied.

The motion to dismiss for lack of jurisdiction is denied. The alternative request for summary disposition (Docket Entry No. 8) is granted. *See* 9th Cir. R. 3-6(a) (standard for summary disposition); *United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982). The district court did not abuse its discretion by denying the request for permission to file a notice of removal and dismissing the matter because the filing was within the scope of the district court’s pre-filing order. *See*

In re Fillbach, 223 F.3d 1089, 1090 (9th Cir. 2000) (reviewing dismissal for failure to comply with a vexatious litigant order for abuse of discretion).

AFFIRMED.

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Proof of service

Alaa Elkhawily, MD

726 W 6th Ave, #303

Spokane, WA 99204

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elkhawily.Alaa@Gmail.Com

I, the undersigned, a party or counsel for the petitioner/respondent in the above-entitled proceeding, do hereby certify that on this date, July 12, 2026 I served the following enclosed documents:

APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

upon each party, or that party's counsel, and every other person required to be served by Supreme Court Rule 29.

Method of Service

- X. By Email and or U.S. Mail and or Fed Ex : By depositing an envelope containing the above documents in the United States mail, or Courier properly addressed to each of them and with first-class postage priority or overnight prepaid.

Names and Addresses of Those Served

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Via email to adg@randalldanskin.com

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

Executed on July 12, 2026



S/ Alaa Elkhawily

Alaa Elkhawily

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