

"I came to complete not to refute. I came light to the World." Jesus Christ

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Mark Bochra, individually and on Behalf of all others similarly situated,

Plaintiffs -Appellants,

V.

U.S. DEPARTMENT OF EDUCATION; Miguel Cardona, in his official Capacity as the Secretary for DOE and Suzanne Goldberg in her official Capacity as the secretary for OCR,

Defendants -Appellees.

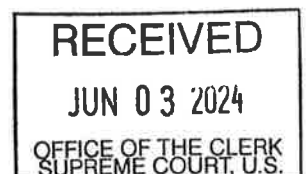
On Petition for Writ of Mandamus
To the United States Court of Appeals
For the Seventh Circuit (Case 24-1592)

**APPLICATION FOR AN EXTENSION OF TIME TO FILE
A PETITION FOR A WRIT OF MANDAMUS
AGAINST THE IHRA DEFINITION**

[To the Honorable Supreme Court Justice Amy Coney Barrett Circuit Justice for the Seventh Circuit]

Mark Bochra
5757 North Sheridan Road, Apt 13B
Chicago, IL 60660
Plaintiff, Pro Se
elohim.coptic@outlook.com

May 29, 2024



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Dear Honorable Judge Amy Coney Barrett, Associate Justice of the Supreme Court of the United States and Circuit Justice for the United States Court of Appeals for the Seventh Circuit:

Pursuant to Supreme Court Rule 13.5, Applicant Mark Bochra respectfully requests an extension of time of 60 days to file his Petition for Writ of Mandamus in this Court by July 27, 2024.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought in *Bochra v. U.S. Department of Education* (1:21-cv-03887). The Seventh Circuit without an assigned 3 panel judges to review a petition for writ mandamus seeking an injunction against the IHRA definition, an anonymous judge using the Court official capacity denied the petition, falsely claiming frivolous without much explanation at all on the record and during an ongoing judicial misconduct complaint proceeding against members of the 7th Circuit in Nos. 07-24-90029 THROUGH 90043 which resulted in another complaint of retaliation in 07-24-90049 THROUGH 90063 (the complaints are ongoing).

Please see Petition for Writ Mandamus ECF No. 4 in 24-1592; the petition was further docketed wrong by the 7th Circuit clerk by not assigning opposing counsel onto the petition i.e., the Justice Department Ms. Sarah Terman. Thus, the Court didn't require a response from opposing counsel to the petition before proceeding in denying the petition. But on the order issued by the 7th Circuit, they added Ms. Sarah Terman onto the order without her response.

The order was issued on April 26, 2024; the respondents or the defendants are the Department of Education. Please see Exhibit "A". Case 24-1592

Notice of Docket Activity

The following transaction was entered on 04/26/2024 at 4:19:31 PM Central Daylight Time and filed on 04/26/2024

Case Name: Mark Bochra v. Sara L. Ellis
Case Number: [24-1592](#)
Document(s): [Document\(s\)](#)

Docket Text:
ORDER: 1. Petition for writ of mandamus, filed on 4/12/2024. 2. Motion to become an electronic filer for this petition or to use the pro se email, filed on 4/12/2024. 3. Amended motion to become an electronic filer for this petition or to use the pro se mail and motion to proceed in forma pauperis, filed on 4/24/2024. the petition for writ of mandamus is DENIED as duplicative and frivolous. The accompanying motions for leave to become an electronic filer and to proceed in forma pauperis are DENIED. In April 2023, this court warned Mark Bochra that further frivolous filings in any appeal may result in sanctions and a filing bar. *Bochra v. Ellis*, No. 23-1762 (April 27, 2023). But Bochra has continued to abuse the court's process and filed frivolous appeals, petitions, and motions. Further, Bochra is sanctioned \$500 for filing a frivolous petition. Within fourteen days of the date of this order, Bochra must tender a check payable to the clerk of this court for the full amount of the sanction. The clerks of all federal courts in this circuit shall return unfiled any papers submitted either directly or indirectly by or on behalf of Bochra unless and until he pays in full the sanction that has been imposed against him and all outstanding filing fees. See *In re: City of Chi.*, 500 F.3d 582, 585-86 (7th Cir. 2007); *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam). In accordance with our decision in *Mack*, exceptions to this filing bar are made for criminal cases and for applications for writs of habeas corpus. See *Mack*, 45 F.3d at 186-87. This order will be lifted immediately once Bochra makes full payment. See *City of Chi.*, 500 F.3d at 585-86. Finally, if Bochra, despite his best efforts, is unable to pay in full all outstanding sanctions and filing fees, he is authorized to submit to this court a motion to modify or rescind this order no earlier than two years from the date of this order. See *id.*; *Mack*, 45 F.3d at 186. [3] [3][2] [1] [4] [7378976] [24-1592] (FP)

Notice will be electronically mailed to:

Mark Bochra
Thomas G. Bruton, Clerk of Court
Ms. Sarah Terman, Attorney

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This Court is handling *Trump v. United States* 23-939 to decide the issue of immunity while addressing Official vs. Individual acts done under different motives.¹ See also *United States v. Isaacs*, 493 F.2d 1124, 1131 (7th Cir. 1974) and *United States v. Hastings*, 681 F.2d 706, 707 (11th Cir. 1982).

Over 1300 Jewish faculty and law professors are objecting to the IHRA definition.² This case strikes at the heart of *Brown vs Board of Education*; this time it is not a segregation case between White vs. Black human being separated by color but between Jews vs. Gentiles separated by race and religion. We already saw the wisdom of God in Genesis 16 when there was a fight over status between Sarah and Hagar, the Children of Abraham became separated i.e., Isaac and Ishmael (Jews and Arabs) for over 2000 years until the Abraham Accord was fostered. Do we need to see separation to take place in America as well between Jews and everyone else?

When judges ruled in *Plessy v. Ferguson* (1896) declaring “separate but equal” the vast majority of the public pressure came from humans who were white and the Judges answered to power while their wisdom was removed at that time. Following this decision, a monumental amount of segregation laws were enacted by state and local governments throughout the country, sparking decades of crude legal and social treatment for African Americans. The horrid aftermath of “separate but equal” from Ferguson was halted by the Supreme Court in *Brown v. Board of Education* (1954) where the Court said that separate schools for African American students were “inherently unequal.”

The same idea that was rejected by the Supreme Court “separate but equal” is now repeating in a new form called the IHRA definition, promoted by the Israeli lobby in America which claims Jews will have their own definition and the Gentiles will not be part of that definition. But not only that, it adds something special by saying “Jews didn’t kill Jesus Christ” a government endorsed view point discrimination.

The Supreme Court’s history often tend to wait and see before any major ruling come out until changes are too late and chaos is ensued just like Covid19 lockdowns, it took the Supreme Court over a year to declare “COVID emergency orders are among `greatest intrusions on civil liberties,”” said Justice Gorsuch in case *Arizona, et al vs. Alejandro Mayorkas et al* No. 22-592 but the damage has already been done to America’s economy and not saved by this Court.

¹ See <https://www.scotusblog.com/case-files/cases/trump-v-united-states-3/>

² See <https://docs.google.com/document/d/1lButpliajBJ3vYIykA-mj5gV35btDhwfczFUoXQRMQ/edit>

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Petitioner respectfully seeks an extension of time to file a petition for mandamus seeking review of the lower Court decision i.e., the 7th Circuit denying the petition for writ mandamus without the Defendants having to respond to the petition or having any answer on the record that justify denying the petition and going in length to call it frivolous. One could say "without merit" or "lacks substantial merit" and try to explain to the simple minds and the public the reason behind their ruling but saying frivolous is a high burden to be used by any Court to just freely using the word "frivolous" without much explanation on the record.

In PATE v. STEVENS 2051 No. 98-3083. Decided: December 24, 1998. The 7th circuit court of appeal argued the following:

We write to clarify the district court's responsibilities when making good faith determinations under Federal Rule of Appellate Procedure 24. Upon consideration of Timothy Pate's renewed motion for leave to proceed as a pauper on appeal; his motion filed under Federal Rule of Appellate Procedure 24; the district court's order pursuant to 28 1915(a)(3), certifying that Pate filed his appeal in bad faith; U.S.C. § and the record on appeal, this court concludes that the district court See Newlin v. Helman, 123 F.3d erred in its bad faith determination. Accordingly, it is ordered that Pate's motion 429, 433 (7th Cir.1997). for leave to proceed in forma pauperis on appeal is granted.

The district court also concluded, after reviewing the record, that there existed no good faith basis for appeal and denied in forma With this, we also pauperis status on this alternative ground. Again without commenting on the merits, we caution district disagree. courts not to apply an inappropriately high standard when making good In Barefoot v. Estelle, 463 U.S. 880, 893, 103 faith determinations. S.Ct. 3383, 77 L.Ed.2d 1090 (1983), the Supreme Court established the threshold for obtaining a certificate of probable cause, a standard that See "is a higher one than the „good faith“ requirement of Sec. 1915." also Cuppett v. Duckworth, 8 F.3d 1132, 1148 (7th Cir.1993) (en banc) The Barefoot Court noted that even the (Ripple, J., concurring). higher standard for obtaining a certificate of probable cause did not require a petitioner to show that he would prevail on the merits 463 U.S. at because, obviously, he had already failed in that endeavor. 893 n. 4, 103 S.Ct. 3383. "Rather, he must demonstrate that the issues are debatable among jurists of reason; that a court could resolve the issues [in a different manner]; or that the questions are adequate to Id. (internal quotations and deserve encouragement to proceed further." Citations omitted) (brackets and emphasis in original). We conclude that Pate has proceeded in good faith.

JURISDICTION

Under 28 U.S. Code § 1651(a) and (b); (a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law and (b) An alternative writ or rule nisi may be issued by a justice or judge of a court which has jurisdiction.

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The authority of courts of appeals to issue extraordinary writs is derived from 28 U.S.C. §1651. Subdivisions (a) and (b) regulate in detail the procedure surrounding the writs most commonly sought—mandamus or prohibition directed to a judge or judges. Those subdivisions are based upon Supreme Court Rule 31, with certain changes which reflect the uniform practice among the circuits (Seventh Circuit Rule 19 is a typical circuit rule). Subdivision (c) sets out a very general procedure to be followed in applications for the variety of other writs which may be issued under the authority of 28 U.S.C. §1651.

In *Ex parte T.M.F.*, [Ms. 1180454, May 3, 2019] __ So. 3d __ (Ala. 2019). The Court (Sellers, J.; Bolin, Shaw, Mendheim, and Stewart, JJ., concur; Parker, C.J., and Wise, Bryan, and Mitchell, JJ., concur in the result) dismisses a petition for certiorari seeking review of the Court of Civil Appeals’s denial of a petition for a writ of mandamus. The Court noted that:

“(1) A decision of a court of appeals on an original petition for writ of mandamus or prohibition or other extraordinary writ (i.e., a decision on a petition filed in the court of appeals) may be reviewed de novo in the supreme court, and an application for rehearing in the court of appeals is not a prerequisite for such review. If an original petition for extraordinary relief has been denied by the court of appeals, review may be had by filing a similar petition in the supreme court (and, in such a case, in the supreme court the petition shall seek a writ directed to the trial judge. ...”

This Court previously in a unanimous ruling in *Hamer v. Neighborhood Housing Services of Chicago* 16-658³ scolded the lower Court, the 7th Circuit when they tried to mass dismiss cases based on jurisdictional time bar when it was procedural subject to cure and extension. Often many courts use rules and laws not to heal a society in pain but to win battles for different reasons. This ruling helped many pro se yet the 7th Circuit continues to disregard it from time to time.

In a unanimous decision, the U.S. Supreme Court ruled today that a federal procedural rule that allows a district court to extend an appeal deadline by no more than 30 days is a non-jurisdictional, mandatory claims processing rule. While this is a generally inconsequential decision when it comes to workplace law, it is a decision about which every litigant and participant in the judicial system should be aware, as it could impact litigation options and strategy. While this decision might potentially lead to a slight uptick in extension requests from pro se plaintiffs and overall delays in commencing appeals, it may also have a marginal impact on appellate litigation (*Hamer v. Neighborhood Housing Services of Chicago*, et al).











³ See <https://www.scotusblog.com/case-files/cases/hamer-v-neighborhood-housing-services-chicago/> and see <https://www.oyez.org/cases/2017/16-658>

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Conclusion

UNANIMOUS DECISION FOR HAMER
MAJORITY OPINION BY RUTH BADER GINSBURG

A court-made rule prescribing a time limit for filing notice of an appeal is not jurisdictional.

Anthony M. Kennedy	Ruth Bader Ginsburg	Samuel A. Alito, Jr.	Elena Kagan						
									
John G. Roberts, Jr.	Clarence Thomas	Stephen G. Breyer	Sonia Sotomayor	Neil Gorsuch					

A court-made rule imposing a time limit is not jurisdictional. Justice Ruth Bader Ginsburg delivered the opinion for a unanimous court. In *Bowles v. Russell*, 551 U.S. 205 (2007), the Court held an appeal filing deadline prescribed by statute is "jurisdictional" in that missing the deadline requires dismissal of the appeal. Here, applying the principle that only Congress may determine a lower federal court's subject matter jurisdiction, the Court noted that in contrast to congressional legislation, court-made rules (including the Federal Rules of Civil Procedure and the Federal Rules of Appellate Procedure) cannot be jurisdictional. The Court vacated the decision of the of the Seventh Circuit and remanded for further proceedings.

Likewise the issue is with this petition for writ mandamus seeking the Supreme Court review under Under 28 U.S. Code § 1651(a) and (b). The issue isn't only the petition seeking an injunction against the IHRA definition but also the conducted procedure in terms of how the 7th Circuit treats petition for writ mandamus when filed by *pro se* litigants compare to lawyers, the petition was docketed wrong by the clerk not assigning opposing counsel Ms. Sarah Terman to it but rather assigned the district judge to it i.e., Judge Sara Ellis as if the judge needs to respond to the petition, no response was required from opposing counsel despite being served a copy of the petition within the certificate of service, no 3 panel judges were assigned to the petition to issue a just ruling, and following the instant denial of the petition, an order to pay \$1600 within 14 days without even asking the petitioner to respond why he shouldn't pay the \$1600 fee or couldn't pay that amount, also this gave the petitioner no recourse to seek en banc review or a motion for reconsideration, the anonymous judge asked "pay us \$1600 within 14 days and you can continue with your litigation" original case 22-2903, 23-1388 which was still ongoing.

It is believed the anonymous judge is Judge Diane Wood because following a filed judicial misconduct complaint 07-24-90049 THROUGH 90063 that was filed for retaliation, same day she left official capacity of the court, the day Mark's Judicial Misconduct Complaint

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was received by the 7th Circuit. Judges who resign or retire are not subject to judicial misconduct proceedings.

This petition is seeking the Supreme Court review of a writ of mandamus seeking an injunction against the IHRA definition along with seeking review of the procedure in term of how petition for writ mandamus should be followed. Does the Supreme Court leave it up to different circuit courts to apply different procedures for petition for writ mandamus based on who file it? Or should there be certain rules to be followed in term of adjudicating petitions for writ mandamus?

REASONS FOR GRANTING EXTENSION OF TIME

Applicant is seeking an extension of time for many reasons one of them is his history of seizure epilepsy compounded with anxiety and depression as he often need the extra time to prepare his petition and his writings. Previously the 7th Circuit granted an extension of time in a different appeal, the main appeal of the case 22-2903, 23-1388 by Judge Thomas Kirsch.

Case: 22-2903 Document: 26 Filed: 05/23/2023 Pages: 2

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

May 23, 2023

Before

THOMAS L. KIRSCH II, Circuit Judge

Nos. 22-2903 & 23-1388	v.	MARK BOCHRA, Plaintiff - Appellant
		DEPARTMENT OF EDUCATION, et al., Defendants - Appellees
Originating Case Information:		
District Court No: 1:21-cv-03807		
Northern District of Illinois, Eastern Division		
District Judge Sara L. Ellis		

Upon consideration of the MOTION FOR AN EXTENSION OF TIME TO FILE HIS BRIEF DUE TO SEVERAL LIFE AND MEDICAL CONDITIONS AND PERMISSION SEEKING TO FILE AN OVERSIZED BRIEF, filed on May 19, 2023, by the pro se appellant.

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The other reason is that Mark is working currently on his main petition for certiorari in appeal 22-2903, 23-1388 after it was denied en banc hearing and rehearing in ECF No. 48. Mark has 90 days from the denial of the petition for rehearing to file a petition for certiorari with the supreme court under 28 U.S.C. §§ 1254, 1257, and 2101(c)

You must file your petition for a writ of certiorari within 90 days from the date of the entry of the final judgment in the United States court of appeals or highest state appellate court or 90 days from the denial of a timely filed petition for rehearing.⁴

Notice of Docket Activity

The following transaction was entered on 02/27/2024 at 10:22:17 AM Central Standard Time and filed on 02/27/2024

Case Name: Mark Bochra v. Department of Education, et al
Case Number: 22-2903
Document(s): [Document\(s\)](#)

Docket Text:
Filed Nonprecedential Disposition PER CURIAM. AFFIRMED. [43] [7366837] [22-2903, 23-1388] (PS)

Notice will be electronically mailed to:

Mark Bochra
Sara L. Ellis, District Court Judge
Ms. Sarah Terman, Attorney

Order was entered 2/27/2024

Notice of Docket Activity

The following transaction was entered on 05/03/2024 at 3:14:24 PM Central Daylight Time and filed on 05/03/2024

Case Name: Mark Bochra v. Department of Education, et al
Case Number: 22-2903
Document(s): [Document\(s\)](#)

Docket Text:
ORDER: Appellant Mark Bochra's Petition for Rehearing and Petition for Rehearing Enbanc is DENIED. [48] [7380334] [22-2903, 23-1388] (FP)

Notice will be electronically mailed to:

Mark Bochra
Sara L. Ellis, District Court Judge
Ms. Sarah Terman, Attorney

Petition for re-hearing was denied on 5/03/2024

District Court granted in forma pauperis in *Bochra v. U.S. Department of Education* (1:21-cv-03887) ECF No. 8

⁴ See <https://www.supremecourt.gov/casehand/guideforIFPcases2019.pdf>

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CONCLUSION

For these reasons, Applicant requests that this Honorable Court grants an extension of 60 days, up to and including July 27, 2024, within which Applicant Mark Bochra may file a petition for writ of mandamus seeking a review of this Court.

Dated: May 29, 2024.

Respectfully submitted,

/s/ Mark Bochra
Plaintiff, Pro Se

Exhibits	Description
A	Copy of the 7 th Circuit Order denying the petition for writ mandamus in 24-1592
B	Copy of the filed Petition for Writ Mandamus in 24-1592

CERTIFICATE OF SERVICE

The undersigned hereby certifies that I have mailed the foregoing documents via UPS on May 29, 2024. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. A courtesy copy was e-mailed to opposing Counsel Ms Sarah Terman as well as the Solicitor General Ms. Elizabeth Prelogar.

Ms. Sarah F. Terman
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Ms. Elizabeth Prelogar
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Respectfully submitted,

/s/ Mark Bochra
Plaintiff, Pro Se

5757 North Sheridan Road, Apt 13B
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EXHIBIT A

24-1592 Mark Bochra v. Sara L. Ellis "Final Order Original Proceeding" (1:21-cv-03887)

CA07_CMECFMail@ca7.uscourts.gov <CA07_CMECFMail@ca7.uscourts.gov>

Fri 4/26/2024 4:37 PM

To:mbochr2@hotmail.com <mbochr2@hotmail.com>

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Seventh Circuit Court of Appeals**Notice of Docket Activity**

The following transaction was entered on 04/26/2024 at 4:19:31 PM Central Daylight Time and filed on 04/26/2024

Case Name: Mark Bochra v. Sara L. Ellis**Case Number:** [24-1592](#)**Document(s):** [Document\(s\)](#)**Docket Text:**

ORDER: 1. Petition for writ of mandamus, filed on 4/12/2024. 2. Motion to become an electronic filer for this petition or to use the pro se email, filed on 4/12/2024. 3. Amended motion to become an electronic filer for this petition or to use the pro se mail and motion to proceed in forma pauperis, filed on 4/24/2024. the petition for writ of mandamus is DENIED as duplicative and frivolous. The accompanying motions for leave to become an electronic filer and to proceed in forma pauperis are DENIED. In April 2023, this court warned Mark Bochra that further frivolous filings in any appeal may result in sanctions and a filing bar. Bochra v. Ellis, No. 23-1762 (April 27, 2023). But Bochra has continued to abuse the court's process and filed frivolous appeals, petitions, and motions. Further, Bochra is sanctioned \$500 for filing a frivolous petition. Within fourteen days of the date of this order, Bochra must tender a check payable to the clerk of this court for the full amount of the sanction. The clerks of all federal courts in this circuit shall return unfiled any papers submitted either directly or indirectly by or on behalf of Bochra unless and until he pays in full the sanction that has been imposed against him and all outstanding filing fees. See *In re: City of Chi.*, 500 F.3d 582, 585-86 (7th Cir. 2007); *Support Sys. Int'l, Inc. v. Mack*, 45 F.3d 185, 186 (7th Cir. 1995) (per curiam). In accordance with our decision in *Mack*, exceptions to this filing bar are made for criminal cases and for applications for writs of habeas corpus. See *Mack*, 45 F.3d at 186-87. This order will be lifted immediately once Bochra makes full payment. See *City of Chi.*, 500 F.3d at 585-86. Finally, if Bochra, despite his best efforts, is unable to pay in full all outstanding sanctions and filing fees, he is authorized to submit to this court a motion to modify or rescind this order no earlier than two years from the date of this order. See *id.*; *Mack*, 45 F.3d at 186. [3] [3][2] [1] [4] [7378976] [24-1592] (FP)

Notice will be electronically mailed to:

Mark Bochra
Thomas G. Bruton, Clerk of Court
Ms. Sarah Terman, Attorney

The following document(s) are associated with this transaction:

Document Description: Order

Original Filename: /opt/ACECF/live/forms/241592_c7_Order_BTC_7378976_FernandaPerez.pdf

Electronic Document Stamp:

[STAMP acecfStamp_ID=1105395651 [Date=04/26/2024] [FileNumber=7378976-0]

[34014039a4dd6ddf23f26db7e004f5ad1ae3927b8d0c527a2746fb094cb08cc8948e4a73ebae37c1b061ed96f7ccb5cd508d87ef4a5cdd00cfd0d11acfca8dc8]]

Recipients:

- [Mark Bochra](#)
- [Thomas G. Bruton, Clerk of Court](#)
- [Ms. Sarah Terman, Attorney](#)

**Additional material
from this filing is
available in the
Clerk's Office.**

