

No. \_\_\_\_\_

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IN THE SUPREME COURT OF UNITED STATES

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Richard Rynn, Gelliana David Rynn, M.R.  
Petitioners/Appellants

v.

Daniel Washburn  
Department of Child Safety  
Respondents/Appellees

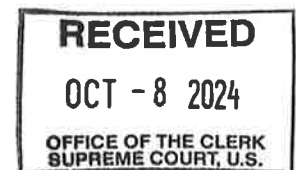
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APPLICATION FOR EXTENSION OF TIME TO FILE  
PETITION FOR A WRIT OF CERTIORARI, TO THE UNITED  
STATES COURT OF APPEALS FOR THE ARIZONA SUPREME  
COURT

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Chandler, AZ 85286  
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Applicants/Petitioner  
Pro Se

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Petitioners Appellants Rynn request a 60-day extension of time within which to file petition for writ of certiorari, in accordance to Supreme court Rule 30.4 and from the disposition of appeal from the Arizona Supreme court on July 22, 2024. Petition for certiorari, was due by October 20, 2024. Petitioners request an extension of sixty days until December 19, 2024, to file petition for a writ of certiorari.

Petitioners emailed respondent on October 4, 2024 for their position on the sixty-day extension to file certiorari. Respondent state of Arizona, Department of Child Safety, replied by email with objection to the extension without reason. The Arizona Supreme court failed to resolve dispute and failed to review Applicants petition to vacate in violation of due process.

**Pure Questions of Law** State v. Nichols, 224 Ariz. 569, ¶ 2, 233 P.3d 1148, 1149 (App. 2010) the issue involves a pure question of law, further supporting acceptance of special action jurisdiction. Supreme court has jurisdiction to hear and determine appeals for Special action for declaratory, equitable relief brought pursuant to rules of procedure for special actions, without regard to appellate jurisdiction. Special action accepted when under no rule of law can trial court's actions and refusal to act be justified." See King v. Superior Court, 138 Ariz. 147, 149-150, 673 P.2d 787, 789 (1983).

Newly discovered evidence in year 2022, specifically an ex parte petition and ex parte order issued by Daniel Washburn on April 28, 2017, was not disclosed to Rynn until its discovery in 2022 due to

insufficient service of process in violation of due process. This constitutes grounds for a new trial and for vacating the decisions in the Superior Court case. Additionally, the April 28, 2017 ex parte petition and ex parte order failed to apply the correct legal standard for evaluating evidence of irreparable harm per Federal Rule 65 that is required for an ex parte order. The court's decision was based on an incorrect standard of evidence, leading to a fundamentally flawed ruling.

A conflict exists between the District Court's decision, where Dr. Tan Fermo of Quail Run ordered M.R. to be discharged home, and directed Richard to discharge daughter M.R. and state court omitting the doctors discharge order not addressed. Court required to correct factual findings.

Court must correct fraud, factual findings to district court factual findings of doctors order M.R. discharge. Plaintiff Richard retrieving daughter as directed by doctor of Quail Run M.R., who was "under an order from her doctor to be discharged." See Case No. 2:18-CV-00414 JJT, USDC AZ-PHOENIX, August 16, 2018 page 2, lines 3-6

The complexity of abuse of process, fraud requires additional time for briefing. Additional rulings from multiple state courts and pending federal courts involved affect this case causing a delay in Petitioners filing a certiorari. New discovered evidence, fraud, fraudulent concealment, violations of constitutional rights, violation of due process, etc.as a bases for vacating injunction not addressed. Contradictions between state court and federal courts was never addressed by the courts. Petitioners request an extension of time to file certiorari. It will take more time than allotted in the rules for filing certiorari.

Petitioners need more time to read, analyze and make cross references to complete certiorari. This motion is not filed for purposes of delay. Jurisdiction exists in this court under 28 U.S.C 1254(1) Wherefore, petitioners pray that this court find good cause to extend the time to file a writ of certiorari, to this court to December 19, 2024, and to enter such orders as are just and proper in these premises.

RESPECTFULLY submitted.

this 5<sup>th</sup> day of October 2024.

  
\_\_\_\_\_  
RICHARD RYNN

  
\_\_\_\_\_  
GELLIANA DAVID RYNN

  
\_\_\_\_\_  
M.R.

## CERTIFICATE OF SERVICE




A copy of this application was served by U.S. mail to Defendants listed below in accordance with Supreme Court Rule 22.2 and 29.3 or 33.2.

office of Attorney General  
4211 S. Santa Rita Ave  
Tucson, AZ 85714

Dawn P. Williama  
4211 S. Santa Rita Ave  
Tucson, AZ 85714

RESPECTFULLY submitted.

this 5<sup>th</sup> day of October 2024.

  
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RICHARD RYNN  
  
\_\_\_\_\_  
GELLIANA DAVID RYNN  
  
\_\_\_\_\_  
M.R.

## **Appendix of Record**

Supreme Court state of Arizona

July 22, 2024, denied Petition to Vacate, denied Petition for Review.

Arizona Court of Appeals Division Two

February 7, 2024, denied to accept jurisdiction for Petition for special Action.



# Supreme Court

STATE OF ARIZONA

**ANN A. SCOTT TIMMER**  
Chief Justice

ARIZONA STATE COURTS BUILDING  
1501 WEST WASHINGTON STREET, SUITE 402  
PHOENIX, ARIZONA 85007  
TELEPHONE: (602) 452-3396

**TRACIE K. LINDEMAN**  
Clerk of the Court

July 22, 2024

**RE: RICHARD R. et al v HON. WASHBURN/DCS**  
Arizona Supreme Court No. CV-24-0052-PR  
Court of Appeals, Division Two No. 2 CA-SA 24-0007  
Pima County Superior Court No. S1100JD201700116

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on July 22, 2024, in regard to the above-referenced cause:

**ORDERED: Motion to File Petition to Vacate Exceeding Word Limit due to Complexity of Fraud on Case = DENIED.**

**FURTHER ORDERED: Petition to Vacate Void Judgements per Rule 60(b)-(d) and 60(d)(3), Based on Fraud and Insufficient Service of Process = DENIED.**

**FURTHER ORDERED: Petition for Review Request En Banc Review = DENIED.**

**A panel composed of Chief Justice Timmer, Vice Chief Justice Lopez, Justice Beene and Justice King participated in the determination of this matter.**

Tracie K. Lindeman, Clerk

TO:

Marcella R.

Richard R.

Dawn Rachelle Williams

Beth C Beckmann

my

FILED BY CLERK

FEB 7 2024

COURT OF APPEALS  
DIVISION TWO



## Court of Appeals

STATE OF ARIZONA  
DIVISION TWO

### O R D E R

2 CA-SA 2024-0007  
Department A  
Pinal County  
Cause No. S1100JD201700116

RE: RICHARD R.; MARCELLA R. & GELLIANA D.R. v. HON. WASHBURN

Pursuant to PETITION FOR SPECIAL ACTION,

ORDERED: The Court declines to accept jurisdiction.

Judges Sklar and O'Neil concurring.

DATED: February 07, 2024

\_\_\_\_\_/s/\_\_\_\_\_  
Christopher P. Stazing  
Presiding Judge