No. 24A664

ORIGINAL

In The

SUPREME COURT OF THE UNITED STATES

PEDRO ORTIZ ROMERO,

Applicant/Petitioner,

v.

GOVERNMENTAL DEVELOPMENT BANK FOR PUERTO RICO (GDB);
ITS PRESIDENT;CHRISTIAN SOBRINO VEGA; ITS CHIEF OPERATIONS OFFICER, GUILLERMO CAMBA-CASAS,

Respondent.

Application for an Extension of Time Within Which to File a Petition for a Writ of Certiorari to the United States Court of Appeals for the First Circuit

APPLICATION TO THE HONORABLE JUSTICE KETANJI BROWN JACKSON AS CIRCUIT JUSTICE

Petitioner:
Pedro Ortiz Romero
In pro se
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To the Honorable Justice Kentanji Brown Jackson,
Associate Justice of the United States Supreme Court and
Circuit Justice for the First Circuit:

APPLICATION FOR AN EXTENSION OF TIME

Petitioner, Pedro Ortiz Romero, No. 19-2084 (October 4, 2024). Pursuant to Rule 13.1, 13.3 and 13.5 of the Rules of this Court, Applicant Pedro Ortiz respectfully requests to this Court the following; The 90 days to which the Applicant has the right under Rule 13.1 and 13.3 of the Supreme Court and which the United States Court of Appeals for the First Circuit mistakenly discounted by deciding the two (2) cases on the same day with the same due date. In addition to an extended 60 days under Rule 13.5 (90 days plus 60 days = 150 days), up to and including Friday, May 23, 2025, within which to file a petition for a Writ of Certiorari in this case. Otherwise I would have to send the cases to this Honorable Court, limiting my Constitutional rights included in the Fifth (5th) and Fourteenth (14th) Amendment of the United States Constitution.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is Pedro Ortiz v. GDB and Other, No. 19-2084 (October 4, 2024). On October 4, 2024, the United States Court of Appeals for the First Circuit affirmed. Received on October 18, 2024. (Attached as Exhibit A).

On October 28, 2024, the United States Court of Appeals for the First Circuit entered a Madate received on November 18, 2024. (Attached as Exhibit B).

JURISDICTION

The United States Supreme Court now has jurisdiction to review a Petition for a Writ of Certiorari under 28 U.S.C. § 1254(1) and Supreme Court Rule 10, 13.1, 13.3 and 30.1. The Petition for a Writ of Certiorari is presently due on January 02, 2025. Petitioner files this application at least ten (10) days prior to the scheduled filing date for the Petition. See S. Ct. R. 13.5. The pertinent dates are:

a. October 4, 2024: Issuance of written JUDGMENT of

United States Court of Appeals for the First Circuit, Pedro Ortiz v. GDB , No. 19-2084 (2024). A copy of the JUDGMENT is attached hereto as Exhibit A.

b. October 4, 2024: Issuance of written JUDGMENT of United States Court of Appeals for the First Circuit, Pedro Ortiz v. FAFAA, No. 21-1592 (2024). A copy of the JUDGMENT is attached hereto as Exhibit B.

c. October 28, 2024: Issuance of written MANDATE of United States Court of Appeals for the First Circuit, Pedro Ortiz v. GDB , No. 19-2084 (2024). A copy of the MANDATE is attached hereto as Exhibit C.

d. December 23, 2024: Deadline for seeking extension of time within which to file a petition for writ of certiorari in the United States Supreme Court.

e. January 2, 2025: Expiration of time for filing a petition for writ of certiorari in the United States Supreme Court, unless extended.

BACKGROUND

The case before the Court raises substantial and important issues involving Rule 12(b)(6) of the F.R.Civ.P., constitutional provisions pursuant to the Fifth and Fourteenth Amendments to the United States Constitution, federal case law, statutes, and the Federal Rules of Civil Procedure and previous appeal court and other Circuit Courts of appeal which are set forth in the reasons for granting the Writ. The circuit courts are in disagreement. Three circuit courts mentions that A motion to dismiss is not a responsive pleading for purposes of F.R.Civ.P. Rule 15(a). Furthermore, a Rule 12(b)(6) motion is not a responsive pleading under the 9th Circuit Court's opinion in St. Michael's Convalescent Hosp. v. State of Cal. (9th Cir. 1981).

The District Court entered final judgment on Plaintiff's discrimination claims pursuant to F.R.C.P. 12(b)(6). The District Court erred by expressly summarily finding, among other things, that this plaintiff failed to comply with Federal Rules of Civil Procedure (F.R.C.P.) 12(b)(6) and by absorbing the defendants without permitting this Plaintiff to take his depositions. In

addition, this plaintiff requested, pursuant to his constitutional's rights, a jury trial, and the District Court summarily ruled.

Moreover, by not being permitted to initiate discovery and depositions pursuant to Rule 26(f), without the critical evidence that this Plaintiff-Appellant was able to obtain during discovery and depositions, this Appellant was deprived of his ability to prove discrimination and retaliation in court before a jury.

The First Circuit endorsement of these errors through its summary affirmance warrants review, as will be further set forth in Applicant's petition.

The First Circuit affirmed the sentence without even ordering an oral hearing to allow for arguments and, if necessary, the presentation of argumentative and/or direct evidence.

REASONS JUSTIFYING THE GRANTING OF AN EXTENSION OF TIME.

Applicant Pedro Ortiz respectfully prays, requests to this Court, an extended the time to file a Petition for a Writ of Certiorari of one hundred and fifty (150) days (90 days plus 60

days = 150 days), up to and including May 23, 2025, under Rule 13.1, 13.3 and 13.5 of the Supreme Court for the following reasons:

1. The 90 days to which the Applicant has the right under Rule 13.1 and 13.3 of the Supreme Court and which the Circuit Court mistakenly discounted by deciding the two (2) cases on the same day with the same due date.

2. The First Circuit erred by processing the Governmental Development Bank for Puerto Rico(GDB) case, number 19-2084, and the Fiscal Agency and Financial Advisory Authority (FAFAA) case, number 21-1592, on the same day (October 4, 2024) and with the same due date (January 2, 2025, 90 days, by my calculations). I received the judgments on October 18, 2024. See Exhibit A, B and C. Pursuant to the Fifth Amendment and 14th Amendments of the United States Constitution.

3. The cases were filed with the United States Court of Appeals for the First Circuit on the following dates: GDB's case number 19-2084, on October 10, 2019, and FAFAA's case number

21-1592 on September 20, 2021.

4. By processing the cases on the same day (October 4, 2024) and with the same expiration date (January 2, 2025, 90 days, according to my calculations), the First Circuit subtracted the 90 days mentioned in Rule 13.1 of the Supreme Court.

5. This Applicant must file with this Supreme Court two (2) Writs of Certiorari on the following cases: The first (1) Pedro Ortiz v. GDB and Other No. 19-2084 and the second (2) Pedro Ortiz v.FAFAA no. 21-1592. An extension of time will permit this Applicant to continue seeking information and documentation on the cases.

6. The extension of time is also necessary because of the press of other cases before this Supreme Court. Also this Applicant has no legal representation or attorney to represent me in these cases and I continue to seek an attorney. Otherwise I would have to send the cases to this Honorable Court, limiting my Constitutional rights included in the Fifth (5th) and Fourteenth (14th) Amendment of the United States Constitution.

7. An 150-day (90 days plus 60 days = 150 days) extension for the Applicant would allow to this Petitioner, the necessary amount of time to effectively contribute to pending cases including Applicant's petition before this Honorable Court.

8. As of December 1, 2024, this Applicant does not have an counsel to represent it before this Court.

9. Petitioner requests an extension to file his petition for certiorari because of difficulties in securing counsel before the deadline for filing the petition for writ of certiorari (and, in particular, after the 10-day extension period in Supreme Court Rule 13.5). Petitioner requests the extension to continue his search for counsel and to allow counsel sufficient time to familiarize themselves with the trial and appellate records and fully evaluate the merits of my case. In addition to be being able to file my petition for writ of certiorari.

10. Moreover, the petition must currently be filed on January 2, 2024, immediately after the Christmas and New Year holidays. The few attorneys that this Petitioner could you contact

to represent me in this case, must already have scheduled family obligations during the holiday season. I mention this because here in Puerto Rico, by tradition and culture, we celebrate the Christmas and New Year holidays. In addition to Three Kings Day, which is celebrated on January 6, 2025.

11. An extension of time will help to ensure that these vitally important and complicated issues are presented to the Court clearly and thoroughly.

12. I am a pro se Petitioner, here in Puerto Rico, a Territory of the United States, according to the Law established by the Congress of the United States, this Petitioner has not obtained an attorney to represent me and sue the Government of Puerto Rico. In the cases against the Governmental Development Bank for Puerto Rico (GDB) nor against Fiscal Agency and Financial Advisory Authority (FAFAA).

13. In the following Courts: neither before this Honorable Court of the Supreme Court of the United States nor before the First Circuit of Appeals in Boston and nor before the District

Court of Puerto Rico.

14. The GDB and the FAFAA have history. This petitioner can afford to hire a lawyer who charges a reasonable fee.

CONCLUSION

For the reasons set forth, Petitioner, who is not represented by counsel in this case, respectfully prays requests that this Court grant an extension of one hundred and fifty (150) days for the following reasons: The ninety (90) days to which Petitioner has the right under Supreme Court Rules 13.1 and 13.3 and which the Circuit Court erroneously discounted by deciding the two (2) cases on the same day with the same due date. Plus an extension of sixty (60) days under Rule 13.5 (90 days plus 60 days = 150 days), up to and including Friday, May 23, 2025, within which to file a petition for a Writ of Certiorari in this case. See Sup. Ct. R. 10, 13.1, 13.3 and 13.5.

I would appreciate it if you could send me everything related to this case by mail, since the mail is one of the few government agencies explicitly authorized by the United States Constitution.

Dated this 23th day of December, 2024.

Respectfully submitted,

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