

No. 24 A665

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In The  
**SUPREME COURT OF THE UNITED STATES**

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PEDRO ORTIZ ROMERO,  
Applicant/Petitioner,

v.

PUERTO RICO FISCAL AGENCY AND  
FINANCIAL ADVISORY AUTHORITY;  
CHRISTIAN SOBRINO-VEGA, President of the Puerto Rico  
Fiscal Agency and Financial Advisory Authority; ALEJANDRO  
CAMPOREALES, Chief Operations Officer of the Puerto Rico  
Fiscal Agency and Advisory Authority,  
Respondent.

ORIGINAL  
DEC 27 2023

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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

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APPLICATION TO THE HONORABLE JUSTICE KETANJI  
BROWN JACKSON AS CIRCUIT JUSTICE

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Petitioner: Pedro Ortiz Romero - In pro se  
P.O. Box 190987 SAN JUAN, P.R. 00919-0987

**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. 21-1592** (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. Fiscal Agency and Financial Advisory Authority (FAFAA) case, number 21-1592 (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).

### **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. BGF , 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. AAFAF, 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. BGF , 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 Intentional Discrimination and Impact Discrimination (Age Discrimination in Employment Act of 1967, 29 U.S.C. §§623(a)(1), (2), (d)), 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. Several circuit courts have held: The Third Circuit Court (3rd Cir. 2017) allows age discrimination action for disparate impact. According to the Seventh Circuit Court (7th Cir. 2022), Title VII disparate impact claims are appropriate for class-level adjudication.

The Supreme Court has long recognized that age discrimination does not stop at age forty. *O'Connor v. Consol. Coin Caterers Corp.*, 517 U.S. 308, 313 (1996). Because according the Supreme Court's precedent in *Griggs and Smith, Meacham v. Knolls Atomic Power Lab.*, the

EEOC's interpretation of the ADEA, and the Act's legislative history, all confirm that job applicants like Plaintiffs may bring disparate impact claims.

The district court entered final judgment on this Plaintiff's discrimination claims pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56 on July 02, 2021. Whether the district court erred in not adjudicate the motion titled Opposition Amended. Opposition to the Motion to dismiss the claim of Disparate Impact by discriminaci3n of age of this plaintiff and opposition To motion to dismiss pursuant to Rule 12 (b) (6) of the Rules of civil procedure, filed as defense by the defendants. In addition, this Plaintiff requested pursuant to Rule 38(b) of the Federal Rules of Civil Procedure and 29 U.S.C. §626(c)(2), a trial by jury in this action.

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 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

vitaly 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 AAFAF have history. This petitioner can afford to hire a lawyer who charges a reasonable fee.

## CONCLUSION

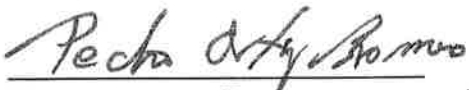
For the reasons set forth, Petitioner, who is not represented by counsel in this case, respectfully prays requests that this

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,



Pedro Ortiz Romero - Pro Se  
P.O. Box 190987  
SAN JUAN, P.R. 00919-0987  
Tel: (787) 439-3156

**CERTIFICATE OF SERVICE**

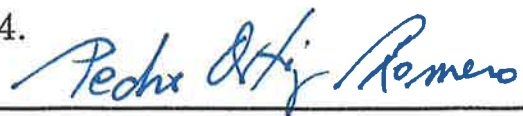
**I hereby certify that a true and accurate original and the required number of copies of Petitioner's Application for an Extension of Time to File Petition for a Writ of Certiorari, It will be mailed to the Clerk's Office of the United States Supreme Court, via Priority Mail.**

**And further certify that a true and accurate copy of this Application, It will be mailed to the following counsel by Priority Mail:**

**Lcda. Mariela Rexach Rexach/  
/SCHUSTER AGUILO LLC  
221 PONCE DE LEON AVE., 15 th FLOOR  
SAN JUAN P.R. 00917-1815  
Tel.: (787) 765-4646  
Fax: (787) 765-4611**

**Counsel for Respondent**

**This the 23 day of December, 2024.**



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**Pedro Ortiz Romero – Pro Se**

# United States Court of Appeals For the First Circuit

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No. 19-2084

PEDRO ORTIZ-ROMERO,

Plaintiff - Appellant,

v.

GOVERNMENT DEVELOPMENT BANK FOR PUERTO RICO; CHRISTIAN SOBRINO-  
VEGA; GUILLERMO CAMBA-CASAS,

Defendants - Appellees.

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Before

Barron, Chief Judge.

Gelpí and Rikelman, Circuit Judges.

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## JUDGMENT

Entered: October 4, 2024

Plaintiff-appellant appeals from the district court's dismissal of his discrimination and retaliation complaint against the Government Development Bank and two of its officials arising from the termination of his employment with that entity. This court reviews de novo a district court's dismissal of a complaint based on Fed. R. Civ. P. 12(b)(6). See Squeri v. Mount Ida College, 954 F.3d 56, 65 (1st Cir. 2020). After careful review of the district court record and the filings on appeal, we agree with the district court that plaintiff's complaint failed plausibly to allege a case of age-based discrimination or retaliation. The dismissal of plaintiff-appellant's complaint is affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Pedro Ortiz-Romero, Mariela Rexach, Andres C. Gorbea-Del Valle

# United States Court of Appeals For the First Circuit

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No. 19-2084

PEDRO ORTIZ-ROMERO

Plaintiff - Appellant

v.

GOVERNMENT DEVELOPMENT BANK FOR PUERTO RICO; CHRISTIAN SOBRINO-  
VEGA; GUILLERMO CAMBA-CASAS

Defendants - Appellees

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**MANDATE**

Entered: October 28, 2024

In accordance with the judgment of October 4, 2024, and pursuant to Federal Rule of Appellate Procedure 41(a), this constitutes the formal mandate of this Court.

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Andres C. Gorbea-Del Valle  
Pedro Ortiz-Romero  
Mariela Rexach

# United States Court of Appeals For the First Circuit

No. 21-1592

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PEDRO ORTIZ-ROMERO,

Plaintiff - Appellant,

v.

PUERTO RICO FISCAL AGENCY AND FINANCIAL ADVISORY AUTHORITY;  
CHRISTIAN SOBRINO-VEGA, President of the Puerto Rico Fiscal Agency and Financial  
Advisory Authority; ALEJANDRO CAMPOREALES, Chief Operations Officer of the Puerto  
Rico Fiscal Agency and Advisory Authority,

Defendants - Appellees.

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Before

Barron, Chief Judge,  
Gelpí and Rikelman, Circuit Judges.

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## JUDGMENT

Entered: October 4, 2024

Plaintiff-appellant appeals from the district court's grant of summary judgment in favor of defendants the Puerto Rico Fiscal Agency and Financial Advisory Authority and two of its officials arising from the decision not to hire him. This court reviews the grant of summary judgment de novo. See Cruz v. Mattis, 861 F.3d 22, 24 (1st Cir. 2017). We have carefully reviewed the district court record and the filings on appeal and affirm the grant of summary judgment. In short, plaintiff-appellant has not demonstrated the existence of a genuine issue of material fact as to his age discrimination claim. Summary judgment was therefore properly entered in favor of defendants. See 1st Cir. R. 27.0(c).

By the Court:

Anastasia Dubrovsky, Clerk

cc:

Pedro Ortiz-Romero  
Mariela Rexach,