

SUPREME COURT OF THE UNITED STATES

No.

RIAN G. WATERS,

Plaintiff - Applicant,

v.


META PLATFORMS AND AIDAN KEARNEY

Defendants - Respondents,

To Ketanji Brown Jackson

**APPLICATION FOR EXTENSION OF TIME WITHIN WHICH TO FILE A
PETITION FOR A WRIT OF CERTIORARI FROM THE NINTH CIRCUIT**

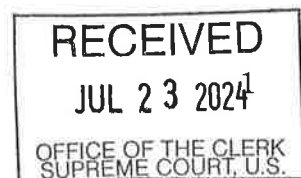
Respectfully submitted,


Pro se /S/ Rian Waters dated July 19th, 2024,

Rian Waters (General Delivery)

1149 Main St, Springfield, MA 01103

(530)739-8951 Watersrian@gmail.com



Pursuant to Supreme Court Rule 13.5, Applicant, Rian Waters, requests a 60-day extension of time, to and including September 29, 2024, within which to file a petition for a writ of certiorari in this case. The Ninth Circuit issued its opinion and entered judgment in this matter on May 2nd, 2024. Absent an extension of time, the petition for certiorari would be due on or before July 31st, 2024. This application complies with Rules 13.5 and 30.2 because it is being filed ten days or more before the petition is due. This Court's jurisdiction would be invoked under 28 U.S.C. § 1254(1).

Reasons why an extension of time is justified

First, I am unable to get the petition ready in time because I recently dropped my laptop, rendering it inoperable. This makes it impossible to comply with the rules and give these important issues the focus they require.

Second, I expect my finances to improve soon, allowing me to file on the paid docket.

Third, the lower courts made numerous obvious errors that could significantly damage the entire court system's reputation if they are not corrected.

Fourth, the courts' disregard of most of the facts and misapplication of the law does nothing to stop Kearney from committing more conspiracies. Multiple courts have made orders protecting jurors and witnesses because of Kearney's actions.

<https://www.bostonglobe.com/2024/07/18/metro/judge-extends-impoundment-order-on-karen-read-jury-list/>

After dealing with Kearney's antics since 2018, I am concerned that he may have orchestrated another bizarre conspiracy so that his detective friends have an excuse to use state resources to track where I have been staying lately.

<https://www.masslive.com/news/2024/07/police-investigate-dead-turtle-left-outside-turtleboy-bloggers-parents-home.html>

Related Current Proceedings

Commonwealth VS Aidan T. Kearney 2382CR00313 MA. Norfolk Superior Court

RIAN WATERS vs. AIDAN KEARNEY & others 2022-P-1105 MA. Appeals Court
Remanded because trial court abused its discretion for the second time getting both facts and law wrong.

Judgment to be reviewed

RIAN G. WATERS, v. META PLATFORMS, INC.; AIDAN KEARNEY, No. 23-15547 The Ninth Circuit sua sponte dismissed the case on May 2nd, 2024. The opinion of the Ninth Circuit is not reported, but is on West Law WL 1928753

While I intend to narrow the issues, currently these are the biggest errors

1.) Did the Ninth Circuit err by disregarding this court's case law without any reasoning including;

A. All injuries to a party's person or property caused by a conspiracy to obstruct a federal proceeding are compensable under 1985(2) Haddle v. Garrison, 525 U.S. 121, 125 (1998)

B. Defendants' have knowledge of everything presented to their attorney under *Link v. Wabash R. Co.*, 370 U.S. 626, 627 (1962)

C. There is no class requirement under the first clause of 1985(2) *Kush v. Rutledge*, 460 U.S. 719, 726, 103 S.Ct. 1483, 1487, 75 L.Ed.2d 413 (1983)

D. The state action inquiry requires considering all facts and theories together. *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 939 (1982)

2.) Whether a state charging a Defendant with 17 witness intimidation related charges including a conspiracy with a police dispatcher to use police databases to help target witnesses, and judges in that case deciding the Defendant showed a pattern of systemic witness intimidation, make the Lower Court's mischaracterization of numerous relevant facts and conclusory approval of Section 1983 and 1985 conspiracies that are similar but even more extreme a plain error.

3.) Did the Lower Courts err by characterizing murder threats to hinder a plaintiff and threats to keep punishing his witness by harassing her family and customers until she wanted to commit suicide as being innocent political activity.

Conclusion

This court should grant the extension so this matter can be fairly decided, respecting the facts presented and the standing laws.

Certificate Of Service

I, Rian Waters, hereby certify that on July 19th, 2024, I served Aidan Kearney and Meta Platforms with a copy of this application for an extension and motion to require electronic service by first class mail to (I would have done priority if I could have afforded it)

Aidan Kearney 111 Mason Rd, Jefferson, MA 01522,

And

Meta Platforms 1 META WAY MENLO PARK, CA 94025

And

CSC - LAWYERS INCORPORATING SERVICE 2710 GATEWAY OAKS
DRIVE, SACRAMENTO, CA

Subscribed under the penalties of perjury.

Respectfully submitted,


Pro se /S/ Rian Waters dated July 19th 2024.

Rian Waters (General Delivery) 1149 Main St, Springfield, MA 01103

(I am not providing any more addresses as it just gives Kearney targets to attack.)

(530)739-8951 Watersrian@gmail.com

2024 WL 1928753

Only the Westlaw citation is currently available.
United States Court of Appeals, Ninth Circuit.

Rian G. **WATERS**, Plaintiff-Appellant,
v.
META PLATFORMS, INC.; Aidan
Kearney, Defendants-Appellees.

No. 23-15547

Submitted April 22, 2024

FILED MAY 2, 2024

Appeal from the United States District Court for the
Northern District of California, Richard Seeborg, District
Judge, Presiding, D.C. No. 4:23-cv-00643-YGR

Attorneys and Law Firms

Rian G. **Waters**, Ware, MA, Pro Se.

Before: CALLAHAN, LEE, and FORREST, Circuit
Judges.

MEMORANDUM*

*1 Rian G. **Waters** appeals pro se from the district court's order dismissing his action alleging claims under 42 U.S.C. §§ 1983, 1985(2), 1986, and *Bivens* v. *Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), related to online harassment. We have jurisdiction under 28 U.S.C. § 1291. We review de novo the district court's dismissal for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii). *Watison v. Carter*, 668 F.3d 1108, 1112 (9th Cir. 2012). We affirm.

The district court properly dismissed **Waters's** action because **Waters** failed to allege facts sufficient to show that defendants conspired to deter **Waters** or any other individual from participating in federal court proceedings,

Footnotes

or that defendants acted under color of state law. *See Pasadena Republican Club v. W. Just. Ctr.*, 985 F.3d 1161, 1166-67 (9th Cir. 2021) (explaining § 1983 state actor requirement); *Rutledge v. Ariz. Bd. of Regents*, 859 F.2d 732, 735 (9th Cir. 1988) (elements of a claim under the first clause of § 1985(2)); *Karim-Panahi v. L.A. Police Dep't*, 839 F.2d 621, 626 (9th Cir. 1988) ("A claim can be stated under section 1986 only if the complaint contains a valid claim under section 1985."); *see also Van Strum v. Lawn*, 940 F.2d 406, 409 (9th Cir. 1991) ("Actions under § 1983 and those under *Bivens* are identical save for the replacement of a state actor under § 1983 by a federal actor under *Bivens*.").

Waters's challenge to the denial of his motion for a temporary restraining order and preliminary injunctive relief is moot. *See Mt. Graham Red Squirrel v. Madigan*, 954 F.2d 1441, 1449-50 (9th Cir. 1992) (when underlying claims have been decided, reversal of denial of preliminary injunctive relief would have no practical consequences, and the issue is therefore moot).

The district court did not abuse its discretion in denying **Waters's** motion for reconsideration because **Waters** failed to set forth any basis for relief. *See Sch. Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth standard of review and bases for reconsideration).

The district court properly denied as moot **Waters's** motions to take depositions and to issue summons because the action had already been dismissed. *See Rocky Mountain Farmers Union v. Corey*, 913 F.3d 940, 949 (9th Cir. 2019) (standard of review).

We do not consider arguments or allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

All pending motions and requests are denied.

AFFIRMED.

All Citations

Not Reported in Fed. Rptr., 2024 WL 1928753