

App. No.

IN THE SUPREME COURT OF THE UNITED STATES

Bank Of New York Mellon,
Respondent

Mark Mazza, Lisa Mazza,
Applicants

On Application for an Extension of Time to File Petition for a Writ of
Certiorari to the United States Court of Appeals for the Third Circuit

Mark Mazza
Lisa Mazza
Applicants
1271 Farm Rd
Berwyn, Pa. 19312

February 21, 2025

This matter comes from the Third Circuit Court of Appeals. After said court issued a decision on September 12, 2024. appellants/applicants filed a Petition for Rehearing en banc and rehearing.

Rehearing was denied in an order dated December 3, 2024. Applicants seek an extension of time of 60 days, in order to file a Petition for Writ of Certiorari in the Supreme Court on or after April 23, 2025.

Since denial of relief in December 2024, applicants sought attorneys and paralegals that represented having experience in federal appellate matters. Some noted filing and briefing cases before this court.

When sent materials as requested to the above, there were substantial delays in obtaining feedback and whether they could represent or assist applicants for filing with this court. Some did not respond or stated they had priority matters that prevented them from assisting applicants. Several of the above advised they were reluctant to take on the matter because applicants were pro se.

An extension is needed so that applicants can expand the search for the much needed assistance, including on a countrywide basis. The representation or assistance is needed due to the complex court and filing requirements, research and for analysis of the the complex legal issues that support filing a petition before this court. Applicants had every intention, in good faith, to meet the 90 day deadline , but were unable to do so due to delays in receiving replies from the above. This resulted in insufficient time to obtain the representation and/or assistance preventing filing the petition in 90 days.

This request is without intent to delay proceedings . When applicants sought representation and/or assistance, they did not anticipate and foresee there would be obstacles to locate experienced counsel or paralegals to assist in research supporting a proper petition filing pursuant to the rules. An extension will not significantly prejudice the appellee. Applicants require the skill and experience of individuals who have Supreme Court experience in petition filings.

Applicants reference the applicability of Supreme Court Rules, including but not limited to Rule 13 and 30.

By way of background, this matter involves applicants loss of property and other rights as a result of a judgment in ejectment. The Rooker Feldman Doctrine application was disputed and contested, and applicants continue to claim the doctrine is inapplicable or that the fraud exception precludes its application. There is a split among several federal circuits as to the fraud exception, from which the Third Circuit does not embrace the exception. There also is the question whether the doctrine prevents review of Pennsylvania state rules regarding appellees non compliance with entry of judgment rules and whether the foreclosure judgment invalid. An appellate practitioner or real estate paralegal is needed to address the fraud exception within the petition. Applicants seek the additional time to present a petition to address miscarriage of justice claims and ensure the integrity of the legal system. There may be additional issues that are proper for inclusion in a petition after counsel is retained or from input from a experienced federal appellate paralegal based on review of the circuit opinion and other documents from the district court. Pennsylvania's judgment revival statute and conflicting foreclosure judgments are issues relevant to the fraud exception.

Applicants assert good cause exists to support the extension of time so that applicants can retain much needed legal representation and assistance to file a Petition for Certiorari. The Third Circuit case was Docketed at 23-2168 -Bank of New York Mellon v Mark Mazza, Lisa Mazza.


MARK MAZZA


LISA MAZZA