

IN THE SUPREME COURT OF THE UNITED STATES
Washington D.C.

Kalishwar Das, Petitioner

v.

State of North Carolina, Respondent
(for Court Transcriptionist Ms. Diane Mercengill)

**PETITIONER'S MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI**

in Case #208P23-3 Taken from North Carolina Supreme Court

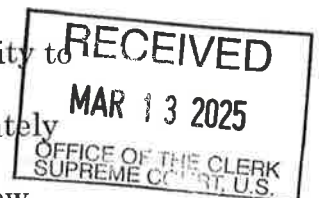
To the Honorable Clerk of the Supreme Court

Pursuant to Rule 30.2 of the Rules of the Supreme Court of the United States, Petitioner Kalishwar Das, respectfully moves for a 60-day extension of time, from March 16, 2025, to May 15, 2025, to file his Petition for Writ of Certiorari.

GROUND FOR EXTENSION

1. Pending Release of a Detailed Order from the North Carolina Supreme Court

- Petitioner has formally requested the North Carolina Supreme Court to release a detailed order, which is essential for properly structuring the Petition for Writ of Certiorari.
- The lack of a detailed order has delayed Petitioner's ability to complete the Certiorari Petition in a manner that accurately presents all legal and factual issues for this Court's review.



- This pending order is crucial to the Petition, and additional time is required to incorporate its contents once released.

2. Complexity of the Case

- The case involves significant constitutional issues, including due process violations, improper appellate dismissal, and procedural bias favoring the State of North Carolina.
- Given the constitutional magnitude of the claims, additional time is required to ensure the Petition meets the Court's procedural and substantive standards.

3. Crucial Updates in a Related Transcript Dispute Case

- A related case involving a transcript dispute is currently ongoing, which directly impacts the factual and legal arguments in this matter.
- Superior Court Judge Trosch has dismissed Petitioner's the non-discretionary case demanding comply N.C.G.S. § 132.6 to provide Metadata of the alleged discriminatory mistrial in their own court. A motion to reconsider with recusal of the Judge Trosch for his controversial involvement in this Certiorari case has also been requested which is pending within the purview of the Chief Administrative Judge currently.
- The outcome of that dispute may provide significant legal clarification regarding the fabrication or suppression of trial records, which is one of the core due process violations in the present case.
- A short extension will allow Petitioner to incorporate any critical developments from the related case into the Certiorari Petition,

ensuring that the Court receives the most accurate and complete presentation of the facts and legal issues.

4. Good Faith Basis for the Extension, Without Prejudice to Respondent
 - This request is made in good faith and not for delay but to ensure that the Petition fully captures the constitutional violations at issue.
 - The requested extension will not prejudice the State of North Carolina, as no immediate enforcement action is pending against Respondent.

For the foregoing reasons, Petitioner respectfully requests that this Court grant a 60-day extension of time, extending the deadline to file the Petition for Writ of Certiorari from March 16, 2025, to May 15, 2025.

Respectfully submitted,



March _3rd_, 2025

Kalishwar Das, Petitioner

1505 The Crossing

Rock Hill, SC 29732

Ph: (803) 370-2344

Email: kalishwardas@gmail.com

CERTIFICATE OF SERVICE

I, Kalishwar Das, certify that on this 3rd day of March 2025, I served a copy of the foregoing Motion for Extension of Time to File Petition for Writ of Certiorari in Case #208P23-3 Taken from North Carolina Supreme Court, upon:

Ms. Elizabeth O'Brien

Assistant Attorney General of North Carolina

114 Edenton Street

Raleigh, NC 27602-0629

Email: eobrien@ncdoj.gov

Service was made by U.S. Mail, first-class postage prepaid, in accordance with Rule 29.3 of the Rules of the Supreme Court of the United States.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 3rd day of March, 2025



Kalishwar Das, Petitioner

1505 The Crossing

Rock Hill, SC 29732

Ph: (803) 370-2344

Email: kalishwardas@gmail.com



North Carolina Court of Appeals

EUGENE H. SOAR, Clerk

Court of Appeals Building
One West Morgan Street
Raleigh, NC 27601
(919) 831-3600

From Mecklenburg
(23CVS000840-590)

Fax: (919) 831-3615
Web: <https://www.nccourts.gov>

Mailing Address:
P. O. Box 2779
Raleigh, NC 27602

No. 24-491

KALISHWAR DAS,
Plaintiff,

v.

STATE OF NORTH CAROLINA,
Defendant.

ORDER

The following order was entered:

The motion filed in this cause on the 16th of August 2024 and designated 'Motion to Dismiss Appeal' is allowed. Appeal dismissed. Appellant to pay costs.

And it is considered and adjudged further, that Kalishwar Das, do pay the costs of the appeal in this Court incurred, to wit, the sum of Nine and 00/100 (\$9.00), and execution issue therefor. These costs shall be deducted from the balance of the appeal bond paid into the Court of Appeals. Judgment for this amount shall not be entered in the underlying case in the Trial Division.

By order of the Court this the 9th of September 2024.

WITNESS my hand and official seal this the 10th day of September 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:

Mr. Kalishwar Das, For Das, Kalishwar - (By Email)

Ms. Elizabeth Curran O'Brien, Special Deputy Attorney General, For State of North Carolina - (By Email)

The Honorable Clerk of Superior Court, Mecklenburg County



Supreme Court of North Carolina

GRANT E. BUCKNER, Clerk
Justice Building, 2 E. Morgan Street
Raleigh, NC 27601

Mailing Address:
PO Box 2170
Raleigh, NC 27602

From N.C. Court of Appeals
(24-491)
From Mecklenburg
(23CVS840)

16 December 2024

Mr. Kalishwar Das
Pro Se
1505 The Crossing
Rock Hill, SC 29732

RE: Das v State of North Carolina - 208P23-3

Dear Mr. Das:

The following order has been entered on the motion filed on the 24th of October 2024 by Plaintiff for Notice of Appeal Based Upon a Constitutional Question:

"Motion Dismissed by order of the Court in conference, this the 11th of December 2024."

Dietz, J. and Riggs, J. recused.

**s/ Allen, J.
For the Court**

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 16th day of December 2024.

Grant E. Buckner
Clerk, Supreme Court of North Carolina

A handwritten signature in black ink, appearing to read "M. C. Hackney".

M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Mr. Kalishwar Das, For Das, Kalishwar - (By Email)

Ms. Elizabeth Curran O'Brien, Special Deputy Attorney General, For State of North Carolina - (By Email)

West Publishing - (By Email)

Lexis-Nexis - (By Email)