

No. _____

In The

SUPREME COURT OF THE UNITED STATES

MICHAEL A. SALAZAR, PRO SE,

Petitioner

v.

HEB GROCERY COMPANY, LP & WALMART #1198,

Respondents.

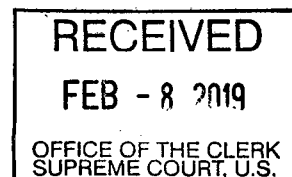
**ON APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION
OF THE SUPREME OF COURT OF TEXAS**

To the Honourable Samuel A. Alito, Associate Justice of the United States Supreme Court and Circuit Justice for the Fifth Circuit:

Petitioner, Michael A. Salazar, pro se, requests an extension of time to file his Petition for Writ of Certiorari. The amount I request, 60 days, extend from due date 27th February 2019 to 28th April, 2019. Denial for petition for rehearing from Supreme Court of Texas was entered 30th November, 2018 and 27th February, 2019 is the expiration date Petition for Writ of Certiorari and, of course, this application is being filed 10 days before due date.

Petitioner is not attaching copies of majority and dissenting opinions because there are none. Jurisdictional statute: 28 U.S.C.1257 (a).

1.



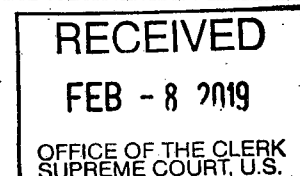
This applicant/petitioner has need of the Court's "supervisory power ": the Trial Court Hearing, Fourth Court of Appeal of San Antonio/Bexar County and local F.B.I., have conspire to undermine my case and repudiate my reputation: they want to defeat my petition to stop me. Together they betrayed and "departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court ...as to call for an exercise of this Court's supervisory power." (Supreme Court Rule 10).

This petitioner is faced with constant bugging of the house I live in as well as tapping the phone, Word, printer and car. Inveterate liars/defamers, they are; ever at the ready to malign my character and my name. FBI informers are paid to come up with the filthiest of accusations: Child-molesting. Parents hold closely their children and parents, grandparents and uncles place their children close to me to inveigle me to molest children and they dissimulate civic duty and submit a report for money: FBI payment for service.

The stories about me are chilling and untrue, and, yet they are conveyed and they get their money from FBI. All San Antonio / Bexar County are "whoring" themselves for money. FBI disseminates these lies not for the best of civic responsibility, but for public prurient shaming; I am determined and ,with pugnacious verbosity, responding as much as I can, indeed!

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Introduction

Petitioner looks forward to the achievement of acceptance of my petition for certiorari. However, petitioner requires additional time to file Petition for Writ of Certiorari.

Petitions' application for an extension of time has merit and should be awarded with extension. The application achieves a setting forth the requisite "good cause" the issuance of an extension. May I underline, I, as petitioner of this case, have not time enough to prepare my petition and , indeed, lacked the resources for most arduous of tasks.

This case was filed on 9th June, 2017. I have had years to consider the salient questions of law presented by this case, I thought!

On 9th June, 2017, that question was not answered nor considered, but was was ignored by Fourth Court of Appeal of Bexar County of Texas. On May 17, 2018, the Fourth Court of Appeals denied Petitioners application for rehearing. Trial Hearing initiated by defendant lawyers was sham trial full of blunders, sloppiness and disregard for Rules and Procedures, Rule 91a.

On March, 2013, the Texas Supreme Court adopted Texas Rule of Civil Procedure 91a, which governs the dismissal of baseless causes of action and which provides that a party may move to dismiss a cause of action on grounds that it has no basis in law and fact.

The right of self-representation carries with it the responsibility to adhere to the court's rules of evidence and procedure.

The trial court hearing erred; and the error definitely rendered the cause of the rendition of improper judgment.

Two weeks before dead line for Appeal Brief, I discovered in the "Judge's Notes": 8:30 am was the starting of the trial court hearing and I also discovered the stamped clock, perpendicular on the "Judge's Notes filed and stamped 2016 Oct. 5, 8:53 am; court hearing of 23 minutes and with 39 pages of fake transcript material. The transcript was tampered, a clear violation of rule 34.6 Texas of Rules of Civil Procedure which "governs procedure in the Justice, county and districts courts."

Rule 91a and "Must" Condition Precedent: Failing to comply with Rule 91a2, which reads: " a motion to dismiss must state that it is made pursuant to this rule, must identity each cause of action to which it is addressed, and must state specifically the reasons of cause of action has no basis in fact, or both."

The three "MUST"are condition precedent, failure to comply "will lead to dismissal" Texas Gov't Code Ann. 311.0(3) Vernon 1998. Their failure to comply should have meant dismissal!

The defendants filed a motion to dismiss using legal standard Rule 91a, but defendants failed to complete rule 91a2 with "must be specificity;" They failed to comply with 'must' "condition precedent" of Rule 91a2.

On October 10,2016, the trial court hearing judge and Fourth Court of Appeal dismissed suit. "Appellees sought dismissal of the suit pursuant to Rule 91a of the Texas Rules of Civil Procedure, but did not prepare for court hearing and the judge admitted to not being ready – I was ready. Justice Alvarez continues, (see Tex. R. Civ. P. rule 91a) authorizing dismissal of a cause of action that has no basis in or fact and she added, " this appeal ensued."

But whose appeal ensued: mine or theirs? The Judge, four attorney's, the seven Justices, the court reporter and the other side just, Me!

For a pro se to dwell and ponder on certiorari petition on a complicated Constitutional questions for the first time, for ninety-day deadline would not suffice.

3.

Argument

My task: clearly defined "good cause". It is understood that an application to extend time to file a writ of certiorari is not always acceptable, nor favoured. But a "good cause" is achievable. S. Ct. R. 13.5.

Over the years this petitioner has aggressively been represented alone. And now I can claim that additional time is urgently needed: the record must be reexamined for relevant legal precedents and the most interested of historical material and, of course, the pressing issues involved for a clear understand of constitutional objective.

Of course, this petitioner is certain that involvement in my case does constitutes "good cause" for extending the time period for filing a Petition for Certiorari. Each step I have taken in my pursuit of this case has opened new doors and an understanding of the legal world and, yet, it is never enough. But time for this petitioner would be much appreciated.

A lawyer with years of legal education and years of experience has an important advantages, but the pro se needs as much additional time to read, study and think. Let us not forget the disadvantage a pro se finds himself with lawyers taking very advantage of pro se lack of legal education and experience. In the coming case you will see the lawyers and Fourth Court of Appeal of Bexar Count taking lead by pretending that pro se does not exist and my Notice of Appeal was ignored. They went a different direction. Two lawyers and the Fourth Court of Appeals were allowed to cheat and lie to the Trial Court Hearing by departing "from the accepted and usual course of judicial proceeding, or sanctioned such a departure by a lower court, as to call for an

exercise of this Court's supervisory power." (Supreme Court Rule 10)

My objective is to provide the Court with the important constitutional issues in the petition case are properly researched and written with clarity for the Court.

As a Petitioner and pro se I need the time to draft a petition that is carefully prepared.

In *Brody v. United States*, 77 S. Ct. 910 (1957), Justice Frankfurter, explains, "...It does not require heavy research to charge the understanding of this Court adequately on the gravity of the issue on which review is sought and to prove to the Court the appropriateness of granting a petition for a writ of certiorari."

He continues, "When the issue upon which review is sought has received extensive consideration in the courts below, the difficulty of properly preparing a certiorari is lower still." *Id.*

"Counsel may be appropriately reminded that the requirements of the Rules of the Court regarding the contents of a petition for certiorari seldom call for the kind of research which may be demanded for a brief on the merits." *Carter*, 75 S. Ct. 911. Under some circumstances, an adequate petition for certiorari "ought not to take more than a day or two on the part of competent counsel, particularly one previously responsible for the cause." *Id.*

It has been my experience, as a pro se, that I do believe I should be understood to be entitled to additional time and, thereby, deference. This petitioner is serious in the pursuit this Court's review, which, indeed, is a very serious decision, I was very careful with every step I took in the years of pondering this case and preyed my mind every waking moment and still feel

that way. My suggestion is that the pro se should be understood as being different from attorneys and, therefore, be given deference to their nascent development of our history and constitutional progress- who cannot be but fascinated and appreciative of this our British ancestral development. This is an experience to be appreciated.

Let me be frank, I quail the days of trying to exist here in San Antonio with the culture of retaliation and a culture of shaming. It is more difficult when you are alone and must do battle with lying and humiliation. After investigation, I am now knowledgeable of the methods of the FBI and friends- this, after 10 years of struggle to acquire information from the silence.

In *Bill Johnson's Restaurants, Inc. v. NLRB*, the Supreme Court's 1983 opinion set out the principle that "the right of access to the courts is an aspect of the First Amendment right to petition the government for redress of grievances." The Fourth Court of Appeal of Bexar County of Texas and the Supreme Court of Texas have "departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by lower court, as to call for an exercise of this Court's supervisory power." And when neither constitutional issues nor collective action is present, the Court has addressed claims of the right to seek redress in court as a due-process or equal-protection challenge.

Conclusion

This case clearly qualifies to be a candidate for certiorari in view of the issues facing so many citizens. The importance of this case is exceptional for it strikes at the very core of our right to petition our government; the high court has long viewed the right to sue in court as a form of petition. Writes Justice Sandra Day O'Connor: "we have recognised this right to petition as one of the most precious of the liberties safeguarded by the Bill of Rights and it speaks simply of the right of the people to petition the Government for a redress of grievances."

Questions: can the Fourth Court of Appeals of Bexar County remove or ignore the Appellant's Appeal (Paid \$200.00 for notice of appeal) and replace my appeal with their own appeal - even without notice of act? Question: can the Fourth Court of Appeals dismiss the tampering with transcripts charge and Rule 34.6 of the Texas Rules of Civil Procedure as insignificant to their case? Question: Can Fourth Court of Appeals and the Texas Supreme Court ignore the right of people to petition the Government for a redress of grievance" and in the case of petitioner, ignore the appeal, ignore Rule 91a2, and ignore the tempering Rule 34.6, replacing with their own case which does not address the challenge of petitioner's rights nor the peoples right "to petition the Government for a redress of grievances."

Petitioner is certain of the capability of submitting an adequate, meaningful petition for certiorari. The application submitted is done in "good cause" and merits and should be recognized. The judgment sought to be reviewed is the decisions of Texas Supreme Court, Fourth Court of Appeals and the Trial Court

Hearing. Pursuant to this Court's Rules 13.5, 22 and 30.3 application.

28th of January, 2019

Respectfully submitted,


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