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Name Javier Bautista

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[Designation of Party] Petitioner

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No: DA 24-0682

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[to be assigned by Clerk of Supreme Court]

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Javier Bautista,

Appellant,

**MOTION FOR EXTENSION OF TIME TO ALLOW MEDIATION  
STRICTLY BEFORE PROCEEDING WITH THE FILING OF  
BRIEFS**

v.  
Montana Office Of The Court

Administrator \_\_\_\_\_,

Appellee.

*[Use this form to ask the Court for more time to file a brief or other document.]*

The current due date is 3rd of February, 2025\_\_\_\_\_.

I have contacted opposing counsel or \_\_\_\_\_ who  
*[Name of party representing himself or herself]*  
is not represented by counsel, and

☐ there is no objection to the motion.

X there is an objection to the motion.

*[M. R. App. P. 16, 26]*

☐ I am incarcerated and not required to contact opposing counsel.

If this is a second or subsequent request for an extension of time, you must explain the reason the extension is needed. You must also state a good reason why you need the extension of time. [Rule 26(2)]

Briefly explain the reason you need additional time:

~~I hereby would like to request an extension of time to file briefs, until I am given sufficient guarantees, that my appeal on my Human Rights complaint for discrimination and retaliation by the Montana Judicial Branch will be judged with a minimum of objectivity and honesty. To be clear, I request that the procedure does not proceed to the filing of briefs, until mediation has taken place and such forum has been used to clarify the legitimacy and morality of the sheer procedure.~~

My Human Rights complaint has been rigged from top to bottom, from beginning to end; since it was first investigated by the Montana Human Rights Bureau (HRB), then as it was judged by the Montana Office of Administrative Hearings (MOAH), subsequently went through the Montana Human Rights Commission (HRC) and lastly (but not finally) was completely disregarded by the 1st Montana District Crook. While District Crook's conduct was not by any means the most crooked of all the different judiciary agents, which have so far intervened in my Human Rights complaint, the truly pathetic arguments it employed in its shameless dismissal resolution, are probably the best example exhibiting the grotesque farse represented by the Montana crooks system.

Indeed, last September, giving rise to the present appeal, my petition for judicial review of my Human Rights complaint for discrimination and retaliation by the Montana Judicial Branch was altogether dismissed, without ever getting into the slightest regard of the actual facts of the complaint and the overwhelming evidence of the State of Montana's judicial branch's

discriminatory and retaliatory practices. Rather, three years after I had filed my petition, having neglected my Human Rights complaint for as many as 36 months, the guy could not find any less pathetic argument to get rid of my Human Rights complaint, than to argue that, at the time the petition was filed three years earlier, back in 2021, no certificate of service had been filed. It was not even in dispute, that I had served the petition to the Montana Supreme Court attorney representing the Montana Judicial Branch, as I was able to provide proof of service in my reply to her motion to dismiss. Moreover, I was also able to provide proof that (after correcting some initial defects in my paperwork) I received confirmation from the clerk, that everything was fine and my petition had been accepted for filing. Nevertheless, come Hell or high water, the 1st Montana District Crook judge decreed that - regardless of all the glaring evidence proving the fact, that the Montana courts had discriminated and retaliated against me - he was going to altogether dismiss my petition; because, apparently, it is the disabled pro se litigant's responsibility to familiarize himself with the Law, supervise and make sure that the clerk of court does its job correctly, and no petition is filed before all the requirements established by the Law have been met. In other words, for the disabled pro-se litigant, who has been a victim of discrimination and retaliation by the judicial system, it is not enough to get confirmation from the Clerk of Court, that his petition has been accepted for filing; but he ought to go with the clerk through the whole list of legal requirements, and get confirmation that each and all required documents have been received and are in the correct format. Given that District Crook neglected taking on my Human Rights complaint for three years, it can only be concluded that the guy did not think a case of discrimination and retaliation against a blind person by the very judicial branch was important enough to be worth his attention. Yet, in his insufferable litany of shamelessly deceitful and crooked arguments, his depravity goes as far as blaming me for his disregard of my Human Rights complaint. Indeed, having neglected my petition for judicial review of my Human Rights complaint for more than two years, the guy has no shame to come up one day with an order requesting me to explain, why this petition for judicial review has been sitting on his desk gathering dust for the previous two years, and provide a report on the status of his review of my petition. From the September 24th 2024 crook order:

"On January 31, 2024, this Court directed the parties to provide a status report on this matter because it had been inactive for over two years".

"Bautista knew that no action had been taken in this case, but still took no steps to prosecute the appeal or effectuate proper service of all parties until after this Court issued its January 2024 order asking for a status update."

Do you really think that anybody is going to buy this BS? You have definitely lost all contact with reality, if you do. To begin with, the allegation, that a blind person has been discriminated and retaliated by the very judicial branch and his subsequent Human Rights complaint had been rigged from top to bottom, is serious enough that, if you had a minimum of decency, you would be the most interested in finding out and clarifying, what exactly had happened, and would not want to resort on lousy subterfuges (such as the absence of a certificate of service) in order to sweep the dirt under the rug. Yet, there is no reason to worry: if you cannot figure this out by yourself, very soon the society will make it Sesame-Street transparent to you.

I could go on forever, detailing all the endless ways my Human Rights complaint for discrimination and retaliation has been rigged by the State of Montana's crooks system; but, it should suffice to point out, that a minimum of decorum and decency should have long ago brought the members of this court to understand that the Supreme Court of Montana, the head of the state's Judicial Branch, cannot adjudicate a case, where the very State of Montana's judicial Branch is the Defendant. The head of the gang cannot adjudicate a case, where the gang is on trial. For goodness sake, here is the Supreme Court of the State of Montana wanting to rule on a case, where the defendant, the Montana Office of the Court Administrator, not only is represented by a Montana Supreme Court Attorney, but is governed by the very Supreme Court of the State of Montana. You simply cannot be judge and party at the same time. Do you really need a special Sesame Street show to get it? or is it just that, as honorable and distinguished as you claim to be, you are actually most absolutely shameless?

Definitely, the Supreme Crook's decision on my marriage dissolution appeal (Cause No. DR-18-796) proved beyond any reasonable doubt, that the individuals who make it up, not only are not honorable, but lack any kind of moral values and are therefore utterly despicable. You went as far as blatantly misrepresenting my own legal argument; as if I would be stupid, not know what was my own argument and not notice the ruse. Apparently you could not think of any more devious subterfuge to avoid addressing my claims for relief under Rule 60 subsection (b)(5), than blatantly misrepresenting my argument in support of said claims, and consequently comfortably counter-argue, that I was not entitled for relief based on the Decree of Dissolution being unconscionable and not equitable, because my request to be allowed to appear telephonically at the final dissolution hearing had been untimely...

Indeed, in my Rule-60 motion, and then again in my Appellant's Opening Brief, I provided several concrete reasons whereby I considered the Decree of Dissolution to be unconscionable and non-equitable: namely, among several other things, the decree never made any kind of informed assessment of any possible need for maintenance. Also, it required a blind man, who had lived over two years in a homeless shelter, to indemnify his wife with an amount higher than their Land Rover's purchase price,

in exchange for keeping ownership of said vehicle (which, obviously, would be of a whole lot of use to a blind person, even more so considering that it had been abandoned broken-down in South Africa in 2016); while she is still exempt of all the financial obligations and debts still attached to the car, and, adding insult to injury, omitting and disregarding the fact that he became blind desperately trying to save said Land Rover). However, not only does the Supreme Crook of Montana omit and avoid addressing the 6 - 8 reasons I provide, whereby I consider the Decree of Dissolution unconscionable and non-equitable; but it even blatantly misrepresents my own argument and so misquotes me deceptively alleging that I had argued, that the decree of dissolution had been unconscionable and not equitable, just because District Court had ruled based on incomplete and or incorrect information. From the Montana Supreme Crook's Opinion:

"Javier contended, in his motion, that Rule 60(b)(5) was applicable because: The Decree of Dissolution is not equitable nor reasonable[.] Respondent could not participate at the final hearing and the court elaborated the Decree of Dissolution with incomplete and or incorrect information[.]"

If that had been the argument, it was then obviously going to be easy for the Supreme Crook of Montana to counter-argue, that it had been my fault if District Court did not have complete and correct information, because I had first failed to provide my disclosure of financial status and, later, my request to be allowed to appear telephonically at the dissolution hearing had been untimely. Regrettably, the Supreme Crook of Montana, as cleverly as deviously, negated that, precisely for the very reason to furnish District Court with complete and correct information, I could not appeal directly, but first needed to file my Rule-60 motion with District Court. The stage was so set for the cherry on top of the Montana Supreme Crook's chicanery pie, with the stupefying final somersault argument, according to which if my request to be allowed to appear telephonically at the dissolution hearing had been untimely - it was rational to deem that I had not moved seeking relief from the decree of dissolution within a reasonable time.

There is simply no way around it: you definitely think we are all stupid. Clearly, the noble upper class has always had this full-of-onself ways of thinking, that the Children are stupid and will always fall hook, line and sinker for any BS their social superiors may come up with. While it may seem sometimes reasonable to conclude that Children are as over-trusting as good-natured, it would do you a favor to comprehend that this is only so as long as the children get well fed, and, much to everybody's misfortune, that is no longer the case. Indeed, it is likewise reasonable to call into question, if perhaps the noble upper class are any smarter at all. Definitely, if you think you are fooling anybody, you are the biggest fools of all. You may have fooled somebody with an obscure, complex legal argument; but it will be easy for anybody to understand, what was actually my own legal argument. Make no mistake, not only it is not lost on anybody, that judges are as dishonorable and immoral as despicable, but we are all likewise aware, that the entire fake-Democracy's legal system is as crooked as utterly repugnant.

Certainly, there is a reason why the Constitution emphasizes the right to legal counsel. The way our fake-democratic System is designed, a litigant's chances to obtain a favorable ruling are obviously much higher, if he or she hires a powerful lawyer. This is so much so, that certain lawyers charge attorney fees of hundreds - or even thousands - of dollars per hour. Obviously, if litigants are willing to pay many thousands of dollars in attorney fees; it is because they know it is going to pay off: for the same crime, the ruling is going to be different, based on the amount of money spent by the litigant on his or her legal counsel. Clearly, our fake-democratic 'justice' system is the best one's money can buy. The first legal codes were elaborated in Mesopotamia at the beginning of the second millennium b.C., in order to protect the people, especially the weakest among them, from the strongest, who constantly prey on them. Regrettably, 4000 years later the judicial system has degenerated to the point that, now it is the strongest who employs the courts to abuse the weakest. The old Medieval Church used to sell indulgences to the most powerful and wealthy individuals to save them a place in Heaven. In contrast, today it is possible to hire a powerful lawyer with a good connection with the courts, in order to have one's own paradise right here on Earth. Long story short: justice for sale.

No doubt about it, fake-Democracy's take on justice does not find it practical to spend all the resources necessary in order to analyze the evidence in any minimum degree of detail, and, therefore discern with a minimum objectivity which party is right and which party is wrong. Consequently, given that the allegations made by average citizens clearly cannot be taken at face value, the fake-Democracy system instead entrusts licensed attorneys with the task of assessing the merits of his or her client. The System obviously has no regard for the fact that licensed attorneys are actually far more untrustworthy and dishonest than average citizens, since any attorney will be naturally inclined to find more merits, the more money the client is willing to pay in attorney fees. Instead, the System puts forward that, if the judge knows what is good for him or her, the court will take verbatim the assessment of the merits made by the most powerful attorney, and so rule accordingly. Long story short, justice for sale in the 'beautiful' fake-democratic system.

As much as I am ready to understand, that the evil fake-Democracy system is the source of all problems, at the end of the day, we are all free to make our own choices. Thus, as lavishly as it may be rewarded to accept playing those most repugnant roles, that the evil fake-Democracy monster necessitates in order to continue running, a minimum of ethics should lead any human

being to comprehend, that at some point there are certain red lines, that nobody should cross. Adding insult to injury, it has always been that those, who shamefully portray themselves and claim to be the most noble, honorable and venerable, are precisely the same most repugnant individuals, who fuel, carry out and enforce the most revolting of all systems, as it is characterized and based on the abuse and exploitation of the most vulnerable by the most powerful. It is definitely truly terrifying to consider, that those most despicable members of the society, who accept to play the most repugnant of roles, are in absolute control and have the power to decide on the lives of all the people. Yes, God save fake-Democracy, where the wealthy only gets wealthier and the poor only gets poorer!

Yes, the issue is not that you are crooked; the real problem is that you are just plain inhuman. Indeed, the issue is not that you took me for a ride on my marriage dissolution; but that the object of your malfeasance was to deny us the slightest possibility to save our marriage. Indeed, you slaughter our marriage without ever allowing me to have a single word heard, but only took verbatim the crooked and deceitful arguments of the dishonest lawyer, who - taking advantage that Alia (my wife) was helplessly mentally ill - my mother-in-law had hired in order to tear our love asunder. Fact of the matter was my mother-in-law had always hated that I "had stolen her baby"; but there was nothing she could do against it, because our love was strong (to the extent that in her affidavit to Immigration, even her had had remarked that our love was mesmerizing). Indeed, ours is the most beautiful love story ever, we were the happiest couple on the face of the planet all until - and even more so at - the end, and everybody was witness of it. In Alia's own words:

"Our love is heard in the stories we tell and the laughs we share. Our love is imprinted in every photo we have taken together. Our love is witnessed in the sacrifices we have taken to be together.

I made many difficult choices so I could be with the man I love.

My marriage was difficult before it even began. I endured intense scrutiny from my family. They all selfishly wanted me to fulfill their own desires."

Unfortunately, our success was such that eventually it started getting into Alia's head, and she began paying attention to all those whispers, insisting she deserved so much more than "a pathetic blind guy". That was the time when she fell hook, line and sinker for a 30-year older South African cassanova asshole, who only wanted to feed his disgusting macho ego, conquering a young, blond, blue-eyed "American Senorita". Alia completely broke down when she finally realized, that the guy was only playing. Alia's biological father committed suicide when she was a baby. For that or whatever other reason, she had always felt to be cursed, she always feared that "one day she would betray me" and kept saying our love was doomed. Now she had self-fulfilled her prophecy.

That Alia broke down and became mentally ill was evidenced by the fact, that she attempted to commit suicide and (as the family's lawyer declared) was diagnosed Post-Traumatic Syndrome. Evidently, the reality was too hurtful for her to bear and she needed some more pleasing narrative. I never cared for the marital property distribution settlement. All what I asked was to be allowed to talk to my wife, tell her that I understood, and I still loved her; but the Montana courts found more befitting to accept the baseless, grotesque allegations, whereby - contrary to all the overwhelming evidence - I had abused Alia all throughout our marriage. Thus, almost three years after the last time we had seen each other, the Montana courts handed out an order of protection against a blind man, who all since he separated has been living thousands of miles away from his wife. All what I asked was that you give our love a chance; but - inhuman as you are - you did not care. Long story short, the evil fake-Democracy system establishes, that the attorney-in-law on record should always write the terms of the court's ruling, his command was to slaughter our marriage, and - inhuman as you are - you executed without blinking. Love, however, is not a good might to upset.

Now mediation is about to begin, and that seems to me a good forum, where we can try to find some reasonable path forward. I hope you will realize that your scam gives no more of itself; but has reached the end of its productive life. I can imagine you must have found it pleasing to fool yourself thinking that you got me all on board and I was all along totally oblivious to your machinations; but it is time for you to wake up and realize, that your farse has reached the end of the road. Mediation is the last opportunity to address my Human Rights complaint for discrimination and retaliation by the Montana Judicial Branch, with a minimum of honesty, and I will not continue playing along with your charade until I receive a minimum of reassurance, that this will be the case. In other words, the procedure cannot proceed with the filing of briefs, while this mediation is still going on and unresolved. Basically, you will not take me for a ride once more.

In summary, since you will always look for the slightest opportunity to manipulate my words, I would like to make it clear, that this motion is not merely a request for an extension of time to file brief on appeal, but for some reasonable guarantees, that my Human Rights complaint is, once and forever, addressed with a minimum of honesty. For this purpose, this motion seeks

time to allow mediation to take place, strictly before proceeding with the filing of briefs. Yet, if you do not see anything wrong in the individuals of the Supreme Court of Montana (tainted as they are by the malfeasance they already committed on my marriage dissolution appeal) adjudicating a Human Rights complaint against Montana's Judicial Branch, than there is no reason to go through the trouble. You just need to decide, if you want to allow mediation to explore any better approach to my Human Rights complaint, than what has been the case until now.

DATED this 28<sup>th</sup> day of December, 2024.

\_\_\_\_\_  
/S/ Javier Bautista

*[Signature]*

\_\_\_\_\_  
Javier Bautista

*[Print name]*

## CERTIFICATE OF SERVICE

I certify that I have filed this **Motion for Extension of Time** with the Clerk of the Montana Supreme Court and that I have e-mailed or hand delivered a copy to each attorney of record and any party not represented by counsel as follows:

Jeanine Blaner

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*[Name of opposing counsel]*

215 N. Sanders. P.O. Box 203001

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Helena, MT 59620-3001*[Address]*

/S/ Javier Bautista \_\_\_\_\_  
[Signature]

Javier Bautista

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[Print Name]