

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

FILED BY SA D.C.

JUN 29 2026

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - MIAMI

JOSEPH KIRCHNER,

*Plaintiff,*

v.

ALEXANDER ACOSTA, in his  
individual capacity;  
and ATTORNEY GENERAL OF THE  
UNITED STATES, in official capacity,  
*Defendants.*

Case No. 9:26-cv-80296-DMM

**MOTION FOR EXTENSION OF TIME  
TO FILE AMENDED COMPLAINT, OR  
IN THE ALTERNATIVE FOR  
DISMISSAL WITHOUT PREJUDICE**

Plaintiff Joseph Kirchner, appearing *pro se*, respectfully moves this Court under Federal Rule of Civil Procedure 6(b)(1)(A) for an extension of time to file his amended complaint, or, in the alternative, for dismissal of this action without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i), and states:

On June 5, 2026, the Court entered an Order (ECF No. 13) dismissing the Complaint without prejudice and granting leave to file an amended complaint by June 18, 2026. This motion is filed within that period.

Plaintiff is a *pro se* litigant presently prosecuting two other federal matters: an appeal before the United States Court of Appeals for the Eighth Circuit arising from *Kirchner v. Ellison*, No. 0:26-cv-00726-PJS-ECW (D. Minn.), and proceedings on a Rule 12 track in *Kirchner v. Johnson*, No. 1:25-cv-02735-ACR (D.D.C.). These matters presently occupy the whole of Plaintiff's capacity.

Plaintiff's work on this matter and the constitutional questions it raises predates the Court's June 5, 2026 Order and has continued diligently since, directed toward an amended complaint that would address the concerns the Court identified. The questions this action raises

are significant, and Plaintiff is unwilling to present them in an amended **pleading** that does not meet the standard this Court and these questions deserve. Rule 6(b)(1)(A) **permits** the Court, for good cause, to extend the time to act when the request is made before the **original** period expires, as it is here. Plaintiff therefore respectfully requests an extension of ninety (90) days, through and including September 16, 2026, in which to complete and file an **amended** complaint worthy of the Court's consideration.

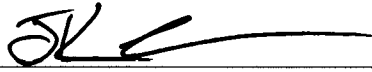
In the alternative, should the Court be disinclined to grant the **requested** extension, Plaintiff respectfully requests that this action be dismissed without **prejudice**. No defendant having been served or having appeared, such dismissal is available to Plaintiff as of right under Rule 41(a)(1)(A)(i), works no prejudice to any party, and would preserve Plaintiff's ability to present these questions in a future action when his circumstances allow.

This motion is made in good faith and not for delay. Whether the Court grants the additional time or the alternative relief, Plaintiff's purpose is the same: to **ensure** that anything placed before this Court reflects the seriousness of the matter and Plaintiff's respect for the Court's process.

Plaintiff wishes to express his sincere appreciation to the Court, **and** to the Honorable Donald M. Middlebrooks, for the time and care devoted to this matter. **The** Court's June 5, 2026 Order reflected considered attention, and its guidance has not been lost on Plaintiff. It is precisely because Plaintiff is mindful of, and grateful for, the Court's time **that** he is unwilling to burden it with work he cannot, at this moment, bring to the standard it **merits**. Plaintiff is thankful to have been heard, and for the patience the Court has extended to a *pro se* litigant doing his utmost across more matters than one person can rightly carry to **completion** at once.

**WHEREFORE**, Plaintiff respectfully requests that the Court (i) **extend** his deadline to file an amended complaint through and including September 16, 2026; or (ii) in the alternative, dismiss this action without prejudice under Rule 41(a)(1)(A)(i).

**Respectfully submitted,**



**JOSEPH KIRCHNER**

*Pro Se Plaintiff*

4440 Parklawn Avenue #203

Edina, MN 55435

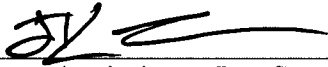
Tel: (612) 552-2122

Email: legal@lawsofexistence.com

**Dated:** June 18, 2026

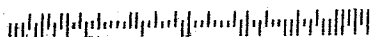
**CERTIFICATE OF CONFERRAL**

Pursuant to Local Rule 7.1(a)(3), Plaintiff certifies that conferral was not **possible** because no defendant has been served or has appeared in this action. There is **accordingly** no party with whom to confer, and no party upon whom service of this motion is **required**.



Joseph Kirchner, *Pro Se Plaintiff*

**CERTIFIED MAIL**



9589 0710 5270 3072 1940 49

Laws of Existence LLC

Joseph Kirchner

4440 Parklawn Avenue, #203

Edina MN, 55435

USA

**Retail**



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