

Andreco Lott
27068-177
FCC Forrest City medium
P.O. Box 3000
Forrest City, AR 72336

November 10, 2018

Scott S. Harris, Clerk
Supreme Court of the United States
1 First Street, N.E.
Washington, D.C. 20543

Re: Request to file out of time motion
Writ of Certiorari
Lott v. United States
USCA5 No.17-10581

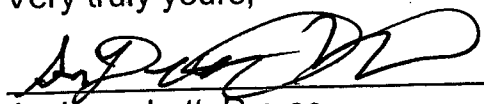
Dear Clerk:

Due to the Issues I have encountered with the prison staff as stated in the declaration, signed October 27, 2018 and sent with the prior request to file the later writ of cert, I am requesting that I be allowed to re submit this motion along with the documentation of proof as to why I was unable to file this requested motion in a timely fashion, as it was out of man hands due to the staff in the course of a prison lock down and shake down that all my legal work, drafts, exhibits, and other papers where confiscated past my filing deadline and some of the said documents where thrown away in the course of this same shake down.

I have attached as proof a declaration with attached evidence to show that it was by no fault of mine, but in fact the prison officials and staff members acting on their behaves. It was not until around October 18, 2018, that was able to have my family locate and mail some of the files that I then recreated to writ and mailed in to your office, and due to the letter that your office sent back to me with the said motion I resubmit this writ of cert. Pursuant to Supreme Court Rule 30.4, I request an extension of time and or to file and out of time writ of Cert date effective as placed in the prison mail room on this day October 10, 2018.

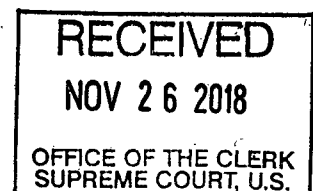
As noted below, copies of this request are being sent to all other parties.

Very truly yours,


Andreco Lott, Pro-se

cc: DISTRICT COURT

Solicitor General of the United States



Appendix 3

DECLARATION UNDER THE PENALTY OF PERJURY 28 U.S.C 1746

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

1) I, Andreco Lott; prison ID; #27068-177 and being over the age of 18 years old, do state as fact that on;

2) August 22, 2018 until September 5, 2018, that FCC Forrest City Federal Prison was on an institutional lock down. see ATT: 1

3) That during this lock down, there was a prison wide shake down and that during that lock down, my legal work and other personal property was thrown away.

4) The legal that is important to this case was in fact a part of the property that was thrown away and misplaced.

5) I state that in addition to the legal that was taken, other legal documents and court addresses were also held for an additional 10 day past my filing deadline to ask for an extension. SEE ATT: 2 and 3

6) Some of the said property was returned on September 6, 2018 accept the files/documents need to file the pleadings now being filed.

7) I declare that it was not until October 8, 2018 that I was able to have my family members locate some of my legal work that I had sent home over the years for records keeping proposes. SEE ATT: 4

8) These files were used to attempt to recreate the pleads being submitted.

9) I further declare that it was Forrest City Prison staff members Mrs. Banks, Mrs. Brooks and other unnamed staff, that cause me to miss my filing dead line(s), by their actions.

10) Due to the prison lock down, I was confined to my cell and unable to use the law library and education department to work on my case and pleadings.

11) I was only given a Memorandum to present to this court by prison staff Mrs. Farris (counselor) on October 23, 2018 after many attempts at such documents. SEE ATT: 5


ANDRECO LOTT

FCC FORREST CITY

P.O. BOX 3000

FORREST CITY, AR 72336


DATE

December 6, 2018

Re-submitted



U.S. Department of Justice
Federal Bureau of Prisons

Federal Correctional Complex
Forrest City, AR 72335

December 6, 2018

MEMORANDUM FOR THE CENTRAL FILE

DeWayne Hendrix
FROM: DeWayne Hendrix, Complex Warden

SUBJECT: Institution Lockdown - Medium

As the result of a major incident at the medium facility of FCC Forrest City, the institution was placed on lockdown from August 22, 2018, through September 10, 2018. During this lockdown, inmates were not allowed to conduct routine daily operations including making copies in the legal law library, attending mailroom open house, or weighing/mailing packages designated for property mail-out. The inmates had limited access to telephone, e-mail, and TRULincs services.

CC: 27068-177 LOTT, Andreco

Appendix
1

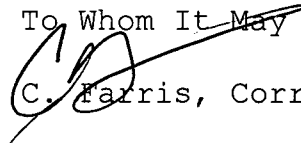


U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Complex
Forrest City, AR 72335

October 23, 2018

MEMORANDUM FOR: To Whom It May Concern
FROM:  C. Farris, Correctional Counselor
SUBJECT: Institutional Lockdown

On August 23, 2018, through September 5, 2018, FCC Forrest City Federal Prison was on an institutional lockdown. Therefore, please allow LOTT, Andreco Reg. #27068-177 an extension on his administrative remedy response. Your assistance is greatly appreciated.

ATT. 5

TRULINCS 27068177 - LOTT, ANDRECO - Unit: FOM-B-A

FROM: Medium Unit B
TO: 27068177
SUBJECT: RE:***Inmate to Staff Message***
DATE: 10/09/2018 12:13:28 PM

I discussed this with your counselor. If you have any other questions, see your counselor.

>>> ~^!"LOTT, ~^!ANDRECO" <27068177@inmatemessage.com> 10/5/2018 9:58 AM >>>

To: Mrs. Holts
Inmate Work Assignment: ccs

Mrs. Holts thesis a follow-up about get a memo and help what my issue over the lock down. the dates where 8/20-21/18 for the days that the compound was unable to move due to the movement of inmates out of a housing units because of building damage and 8-22-18 to 9-5-18 for the lock down and the also the issue of my legal work and property being thrown away and the remainder being held by staff from the 8-28-18 until 9-6-18. thank you for your help in this all important matter.. I am trying to file a pass due request for a extension of time to file other pending motions and brief. and nee a memo to show cause for the delay and request..

ATI

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: LOTT, ANDRECO 27068-177 B1/106L FCI Forrest MSB
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

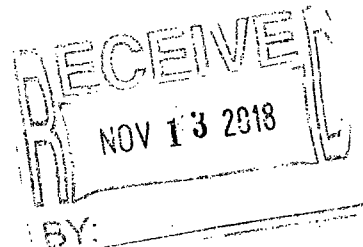
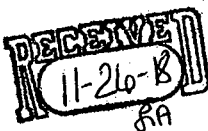
I HEREBY adopt and incorporate by REFERENCE herein that complaint(s) filed in the Informal Resolution. This is an appeal from the Denial Premising: "All STAFF that was ASSIGNED TO SHAKE DOWN Bunk 1 UNIT. Conducted proper Protocol Procedures in dealing with the handling of inmate legal mail in or Property." Id.

1) TO DATE I HAVE NOT BEEN GIVEN ANY CONFISCATION FORM NOR INVENTORY FORM(S) sign by the Confiscating/Inventorying STAFF or ANY OTHER STAFF. 2) I WAS LOCKED IN MY CELL WHILE STAFF CONFISCATED AND THREW AWAY MY LEGAL WORK, WORKING DRAFTS, FILLS AND MAIL AND OTHER PERSON PROPERTY. WHILE ALL OTHER INMATES WERE ALLOWED OUT THE CELL TO INVENTORY THEIR PROPERTY. 3) MY PROPERTY IS STILL MISSING. 4) I WAS DENIED ACCESS TO THE COURT.

Nov 1, 2018
DATE

[Signature]
SIGNATURE OF REQUESTER

Part B- RESPONSE



DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 959618-PI

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)