

IN THE UNITED STATES SUPREME COURT

UNITED STATES OF AMERICA,
PLAINTIFF-APPELLEE,

vs.

DEMETRIUS S. RANKIN,
DEFENDANT-APPELLANT.

§ APPEAL NO. 17-60798
USDC NO. 1:06-CR-41

§ APPLICATION TO JUSTICE FOR
EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERT.
(S.C.T.RULE 30.3).

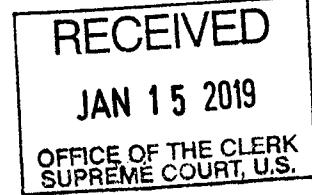
RELIEF SOUGHT

COMES, NOW, Appellant-Demetrius S. Rankin, In Properia Persona, moves this Honorable Court for an extension of time within which to draft, file, and serve a formal Petition for a Writ of Certiorari before this Court. Petitioner avers, that without the extension of time, the time for filing a Petition for Certiorari would expire on January 30, 2019. Petitioner request an extension of sixty (60) days.

GROUNDS FOR MOTION

This Court is authorized to grant an extension when justice so requires. In support of this request for extension Petitioner establishes a compelling need for the requested extension in this cause because:

1. The Court of Appeals for the Fifth Circuit issued its opinion in this cause on Oct. 30, 2018, Petitioner did not receive the opinion til November 13, 2018.
2. On November 13, 2018, FCI McDOWELL was on official lockdown, this lockdown did not end til December 18, 2018. See Memorandum attached dated 12-27-18.
3. These unexpected events make it impossible for Petitioner, whose proceeding pro-se to comply with the time limits imposed by this Court.
4. There is insufficient time to research, draft, copy, file, and serve a formal petition for Writ of Certiorari that complies with this Court's rules within the time left, yet Petitioner brings this motion on his own behalf and would point out that he would suffer irreparable harm and a substantial miscarriage of justice will occur if he is not afforded a full opportunity to bring the errors made by the Court of Appeals to the attention of this Court. Therefore, Petitioner is compelled to request an extension of time for filing a Petition for Writ of Certiorari before this Court.
5. Petitioner believes that his petition for writ of certiorari will meritorious and will point out to the Court a clear error in fact and judgment, crucial to the Court's determination, that the court appears to have inexplicably overlooked or misapprehended in its decision in this matter.



APPLICATION FOR EXTENSION OF TIME
PAGE 2.

6. The requested extension is brief, will not cause any prejudice to any party, and this application is not filed for the sole purpose of delay or harrassment.

Accordingly, this application has been made at the earliest possible opportunity.

For the above stated reasons, Appellant-Demetrius S. Rankin, requests that this application be granted.

Respectfully, submitted

(S) Demetrius Rankin 1-3-19

Demetrius S. Rankin#03266-043
Federal Correctional Institution
MCDOWELL
Post Office Box 1009
Welch, West Virginia 24801



U. S. Department of Justice
Federal Bureau of Prisons
Federal Correctional Institution

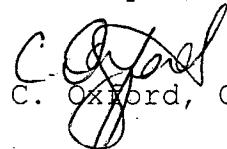
P.O. Box 1029
Welch, West Virginia 24801

December 27, 2018

To whom it may concern,

FCI McDowell was on institutional lockdown from November 13, 2018 through December 18, 2018.

Thank you,


C. Oxford, Case Manager