

NO.

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SUPREME COURT OF THE UNITED STATES

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SUPREME COURT, U.S.

Shawn Russell Soresen,
Petitioner,

vs.

United States of America,
Respondent.

Motion For Extension of Time To File a Writ of Certiorari After A Denial On Direct
Appeal From The United States Court of Appeals For The Eighth Circuit No. 17-1984

Shawn Russell Sorensen "Pro-Se Petitioner"
Federal Register No. 16450-273
United States Penitentiary-Florence-High
Post Office Box 7000 Unit-DA
Florence, CO 81226-7000

Comes Now, Shawn Russell Soresen, hereinafter referred to as "petitioner", appearing as a pro-se litigant and respectfully acknowledging that he has no training or schooling of the law. petitioner respectfully moves this court for an extension in order to file a petition for writ of certiorari. In light of the circuit split in his case. Based on the following reasons this Honorable should consider an extension of time or stay the proceedings until the petitioner receives the full record.

1. Petitioner just recently found the Eighth Circuit's decision in his direct review denial in the prison electronic law library which was recently undated.

2. Petitioner wrote the Eighth Circuit clerk and informed him that he needed appointment of counsel because his paid counsel thought he had a perfectly good issue to bring in front of this Honorable Court on a Circuit split because if he was in the Second, Sixth, Seventh or Eleventh Circuits at least one of his prior "felony drug convictions" would not qualify for a Title 21 U.S.C. Sect. 851 enhancement which has caused him to be sentenced for a minimum of life. This Sect. 851 enhancement moved his statutory minimum from 10 years to a walking death sentence. See Exhibits A


3. Petitioner wants to present the question of Whether the Courts of Appeals for the Second, Sixth, Seventh, Ninth and Eleventh Circuits have held in Conflict with the decision below in the Eighth Circuit. This Court has the power under its own Supreme Court Rule 10 (a).

Case law -points and authorities supporting the conflict in Circuits:
United States V. Elder (No. 17-2207) (7th Cir. August 15, 2018)
Madrid-Farfan v. Sessions, 2018 U.S. App. Lexis 18595 (9th Cir. July 9, 2018)
Unites States v. Phifer, No. 17-10397 (11th Cir September 21, 2018)
United States v. Townsend, No. 17-757-cr 2nd Cir July 23, 2018

4. Petitioner Respectfully concedes that after not being able to pay his attorney his family turned to Attorney Davina T. Chen, P.O. Box 9176, Glendale, Ca 91226, Tel: (323) 474-6390 to see if she would raise the circuit split on his behalf. She informed his family to request for her to be appointed to further litigate the split in the circuits argument that he seeked to continue arguing.

Petitioner respectfully request that this Honorable Court will grant him and order to litigate this circuits split. He also seeks to proceed under in Forma Pauperis status without having to prepay any costs, fees or giving security therefore.

Respectfully Submitted, that the
Foregoing is True And Correct
Pursuant to the penalty of perjury
under title 28 U.S.C. Sect. 1746
and signed on September 24, 2018



Shawn Russell Sorenson

"Pro-Se Litigant"

Fed. Reg. No.16450-273

CERTIFICATE OR FILING AND SERVICE

Pursuant to the "Prison Mail Box" principles of Houston v Lack, 487 U.S. 266, 276 (1989), I, Shawn Russell Sorenson, have on this date Sept. 24, 2018 filed and served the Honorable Clerk of this Court counsel for the opposing party with the required original and true copies of the enclosed "Said Motion" for Extension of Time and the documents in support by hand delivering to prison staff in order to forward them to the parties of interest in this litigation. This "Said" Motion have been placed in seal envelopes with pre-paid First Class postage affixed and addressed to all the parties of interest as stated

below:

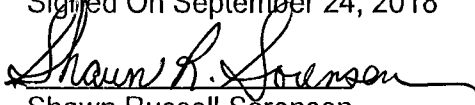
The Honorable Clerk Of The Supreme Court

The Clerk Of The Eighth Circuit

The United States of America Solitor General

The U.S. Attorney's Office
For the District Of South Dakota, SD
Sioux Falls Division

Respectfully Submitted,
That The above is True an correct pursuant
To the principles of Perjury under
Title 28 U.S.C. Sect. 1746 and
Signed On September 24, 2018

A handwritten signature in black ink, appearing to read "Shawn R. Sorensen", written over a horizontal line.

Shawn Russell Sorensen

"Pro-Se Litigant"

Fed. Reg. No. 16450-273