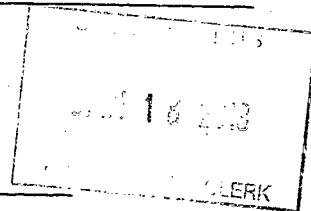


ORIGINAL

No. 18A770

IN THE
SUPREME COURT OF THE UNITED STATES



Mr. Daniel Gatson,
Petitioner

v.

UNITED STATES OF AMERICA
Respondent

ON WRIT OF CERTIORARI TO THE SUPREME COURT
OF THE UNITED STATES

APPLICATION TO JUSTICE Samuel A. Alito, Jr.
TO EXTEND TIME TO FILE PETITION FOR CERTIORARI

Mr. Daniel Gatson #65962-050
Pro-se Petitioner
Federal Correctional Institution
P.O. Box 725
Edgefield, SC 29824

APPLICATION TO JUSTICE Samuel A. Alito, Jr.

EXTEND TIME TO FILE PETITION FOR CERTIORARI
(Sup. Ct. R. 13.5)

RELIEF SOUGHT

Petitioner Mr. Daniel Gatson, humbly request that he be granted a 60 day extension of time for filing a petition for writ of certiorari to the United States Court of Appeals for the Third Circuit in the matter of United States of America v. Mr. Daniel Gatson, Docket No. 16-3135 (D.C. Criminal Action No. 2-13-cr-00705-001)

GROUND FOR RELIEF

1. On or about June 28, 2016, Petitioner was convicted on 10 counts of Interstate transportation of stolen property (18 U.S.C. 841 and 18 U.S.C. 2314) in the District of New Jersey.

A true copy of this conviction is attached to this motion as exhibit "A".

2. On June 30, 2016, Petitioner duly appealed this conviction to the United States Court of Appeals for the Third Circuit, This Court affirmed the conviction by its order entered on July 6, 2016. A true and correct copy of the opinion and order of the court is reported at 2018 U.S. App. LEXIS 22170, United States v. Mr. Daniel Gatson.

3. On August 25, 2018, Petitioner duly appealed the United States Court of Appeals for the Third Circuit decision

to affirm his conviction. Petitioner requested for a panel rehearing (**Appeal No. 17-3122**).

On October 30, 2018, Petitioner's Petition for panel rehearing was denied. A true copy of the order is attached to this motion as exhibit "B".

JURISDICTION

4. The Supreme Court will have jurisdiction over this matter because 28 U.S.C. 1254(1) gives the Court jurisdiction over an appeal of a final judgment of a United States Court of Appeals.

REASONS WHY RELIEF FROM TIME LIMIT NEEDED

5. Under Supreme Court Rule 13.1, time for filing of a petition for writ of certiorari in this matter expires January 30, 2019.

6. Petitioner, a layperson, relied on his attorney of record before the United States Court of Appeals for the Third Circuit to file a timely Petition for writ of certiorari in this matter.

7. On November 6, 2018, The Petitioner mailed his appellate attorney a letter requesting that he file his petition for writ of certiorari. A true and correct copy of the letter sent from the Petitioner to his Appellate Attorney is attached to this motion as Exhibit "C".

8. On January 2, 2019, The Petitioner's Appellate Attorney forward the Petitioner a letter informing the Petitioner that he felt there was no meritorious grounds for filing

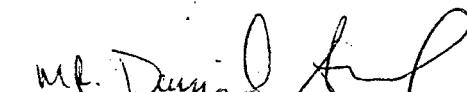
a Petition for Certiorari with the United States Supreme court on the Petitioner's behalf. A true and correct copy of the letter received by Petitioner from his Appellate Attorney is attached to this motion as Exhibit "D".

9. The Petitioner is currently incarcerated at a federal Correctional Institution located in Edgefield, SC 29824.

10. The Law library access is very limited and the legal materials are very limited.

11. I trusted my prior attorney completely, and never bothered to apprise myself of the dealine for filling the writ of certiorari or the manner in which I might personally file writs and motions. In fact, I did not know I was authorized to file my own Motions and Writs until informed of this by my Appellate Attorney.

Date: 1/11/2019


Mr. Daniel Gatson / Pro-se Petitioner