

SUPREME COURT
OF THE UNITED STATES

No. _____

Carlous Lindell Daily,)
Petitioner,)
v.,) Eighth Cir. No. 17-2532
UNITED STATES OF AMERICA,) Dist. Ct. No. 0:15-cv-03933-JRT
Respondent.) Originating Dist. Ct. Crim. No.
) 03-381-1-JRT-FLN

MOTION TO EXTEND TIME TO FILE PETITION FOR WRIT OF CERTIORARI

Comes now Petitioner Carlous Daily, pro se, hereby respectfully requesting pursuant to This Court's Rule 30, sixty (60) additional days for which to file a Petition for Writ of Certiorari regarding the above referenced cause emanating from the Eighth Circuit Court of Appeals.

Supporting this motion, Daily states the following:

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- 1) Daily is not skilled, trained, or educated in law, legal research, or writ writing.
- 2) Daily is not represented by counsel, and is an indigent federal inmate, unable to retain counsel at this time.

3) Daily is housed in a maximum security United States Penitentiary, where movement is extremely limited, making access to the institutional law library and inmate law clerks extremely difficult. The Penitentiary also experiences intermittent administrative lockdown procedures, which further restrict access to the institution's scarce resources.

4) Daily has endeavored to complete his Petition in the amount of time allotted by the rules, but the task has exceeded Daily's abilities, which have been unduly hampered by the forementioned lockdown periods.

5) The government will not be prejudiced in any way by granting Daily the necessary time to complete his Petition.

6) Judicial economy and the interests of justice are both well served by permitting Daily the necessary time to complete an organized and cogent argument for This Court's consideration.

Wherefore, Daily prays that This Honorable Court will grant him sixty (60) additional days in which to file his Petition for Writ of Certiorari, pursuant to This Court's Rule 30, due to Daily's extraordinary circumstances and in the interests of justice.

Respectfully Submitted,

Carlous Lindell Daily
Reg. No. 39587-048
United States Penitentiary Victorville
PO Box 3900
Adelanto, CA 92301

CERTIFICATE OF SERVICE

I do hereby certify, pursuant to 28 U.S.C. §1746 and the laws of perjury of The United States, that the foregoing Motion to Extend Time to File Petition for Writ of Certiorari was entered into the USP Victorville Inmate mail system by delivering the same to USP staff in an envelope with postage prepaid, and First Class, addressed to the Clerk of the Court, 1 First Street, NW, Washington, DC 20543, on this the 7th day of April, 2018.

Carlous L. Daily

Carlous Lindell Daily
Reg. No. 39587-048

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 17-2532

Carlous Lindell Daily

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

Appeal from U.S. District Court for the District of Minnesota - Minneapolis
(0:15-cv-03933-JRT)

JUDGMENT

Before LOKEN, BOWMAN and COLLOTON, Circuit Judges.

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed.

December 06, 2017

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 17-2532

Carlous Lindell Daily

Appellant

v.

United States of America

Appellee

Appeal from U.S. District Court for the District of Minnesota - Minneapolis
(0:15-cv-03933-JRT)

ORDER

The petition for rehearing by the panel is denied.

January 19, 2018

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans