

1 KENNETH BARBER CO CR# P-43791
2 CALIF. STATE PRISON - LOS ANGELES COUNTY
3 P.O. BOX 4610
4 LANCASTER, CA. 93539
5 IN PROPRIA PERSONA
6
7

8 SUPREME COURT OF THE UNITED STATES
9

10 KENNETH BARBER,	CASE NO. _____
11 PETITIONER,	MOTION FOR EXTENSION OF
12 -V-	TIME TO FILE A PETITION FOR
13 STATE OF CALIFORNIA,	WRIT OF CERTIORARI
14 RESPONDENT, ✓	

15
16 PETITIONER, KENNETH BARBER, A CALIFORNIA STATE
17 PRISONER, PROCEEDING IN PROPRIA PERSONA, PETITIONS
18 THIS HONORABLE COURT FOR AN EXTENSION OF TIME TO
19 FILE HIS PETITION FOR WRIT OF CERTIORARI, UP TO AND
20 INCLUDING OCTOBER 20, 2018. (90 DAYS), BASED UPON
21 THE FOLLOWING:

22 1. THE ISSUES BEING PRESENTED FOR REVIEW ARE PARTI-
23 CULARLY COMPLEX AND IS REQUIRING IN-DEPTH RESEARCH.

24 2. THE UNITED STATES DISTRICT COURT- CENTRAL DISTRICT
25 OF CALIFORNIA, EXPLAINED IN ITS RULING THAT BASED UPON
26 THE FACT THAT THE UNITED STATES SUPREME COURT HAS
27 " NOT YET MADE A CLEAR RULING THAT ADMISSION OF IR-
28 RELEVANT OR OVERTLY PREJUDICIAL EVIDENCE CONSTI-

1 TUTES A DUE PROCESS VIOLATION SUFFICIENT TO WARRANT"
2 HABEAS RELIEF, THEREFORE THE COURT CANNOT ISSUE
3 THE WRIT. (SEE RULING - U.S. DISTRICT COURT - CENTRAL DIS-
4 TRICT OF CALIFORNIA - APRIL 7, 2016, A TRUE AND CORRECT
5 COPY IS LODGED AS EXHIBIT "A").

6 3. BASED UPON THIS FACT, IT APPEARS THAT AT LEAST
7 THIS ONE ISSUE IS "RIPE" FOR REVIEW IN ORDER FOR
8 THIS COURT TO ESTABLISH A NEW RULE OF CONSTITUTION-
9 AL LAW FOR AN ISSUE THAT HAS BEEN ARGUED NUMER-
10 OUS TIMES WITHOUT SETTING A PRECEDENT OF CLEARLY
11 ESTABLISHED FEDERAL LAW.

12 4. EQUALLY IMPORTANT IS THAT BASED UPON THE
13 FACT THAT NO CLEAR SUPREME COURT RULING EXISTS
14 WITH REGARDS TO THE POTENTIALLY MERITORIOUS GROUNDS
15 PETITIONER RAISED, THE NINTH CIRCUIT COURT OF APPEAL
16 "DENIED" PETITIONERS MOTION FOR "CERTIFICATE OF AP-
17 PEALABILITY ON APRIL 20, 2018. (SEE MOTION FOR CERTI-
18 FICATE OF APPEALABILITY - JUNE 20, 2017, A TRUE AND
19 CORRECT COPY IS LODGED AS EXHIBIT "B").

20 5. ON APRIL 20, 2018, THE NINTH CIRCUIT DENIED PETI-
21 TIONERS MOTION FOR RECONSIDERATION BASED UPON THE
22 FACT THAT NO CLEARLY ESTABLISHED SUPREME COURT
23 LAW EXISTS, YET. (SEE U.S. COURT OF APPEALS, NINTH CIR-
24 CUIT - APRIL 20, 2018, A TRUE AND CORRECT COPY IS
25 LODGED AS EXHIBIT "C").

26 6. PETITIONER ASSERTS THAT HIS CASE STATES A PRIMA
27 FACIE CASE FOR RELIEF, AND THAT IF HE IS ALLOWED TO
28 PROCEED WITH THIS ACTION, HE WILL PREVAIL IN THIS

1 ACTION AND BE GRANTED THE RELIEF HE HAS REQUESTED
2 FROM THIS HONORABLE COURT.

3 1. PETITIONER HAS SET FORTH AN EXTRAORDINARY AND
4 COMPLEX SET OF VALID ISSUES WHICH WILL UNDOUBTED-
5 LY EFFECT COUNTLESS PRISONERS, AND FINALLY SET A
6 NEW PRECEDENT OF CLEARLY ESTABLISHED FEDERAL LAW.

7

8 WHEREFORE, PETITIONER PRAYS THIS COURT:

9 1. "GRANT" HIS MOTION FOR AN EXTENSION OF TIME TO
10 FILE HIS PETITION FOR WRIT OF CERTIORARI, 90 DAYS,
11 UP TO AND INCLUDING OCTOBER 20, 2018;

12 2. GRANT ANY SUCH OTHER AND FURTHER RELIEF THIS
13 COURT DEEMS APPROPRIATE.

14

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE
16 FOREGOING IS TRUE AND CORRECT.

17 EXECUTED THIS 7/18, 2018, AT LANCASTER,
18 CALIFORNIA.

19

BY: Kenneth R Barber

20

KENNETH BARBER CDCR# P-43791

21

CALIFORNIA STATE PRISON - LOS ANGELES COUNTY

22

P.O. BOX 4610

23

LANCASTER, CA, 93539

24

IN PROPRIA PERSONA

25

26

27

28