

IN THE SUPREME COURT OF THE UNITED STATES

STEVEN JUSTIN VILLALONA,
Pro-se Movant-Appellant,
vs.
UNITED STATES OF AMERICA,
Respondent.

No.: _____
ON PETITION FOR WRIT OF
CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE
ELEVENTH CIRCUIT
Sup. Ct. R. 30. 3
L. T. No.: 18-13712-K

APPLICATION TO JUSTICE THOMAS FOR AN EXTENSION OF TIME TO FILE

A PETITION FOR A WRIT OF CERTIORARI

Steven Villalona, Pro-se Movant.
Reg. No.: 55457-018
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PO BOX 5000
Oakdale, LA 71463

Colin P. McDonell, Assistant U.S. Attorney.
400 N. Tampa St., Ste. 3200.
Tampa, FL 33602

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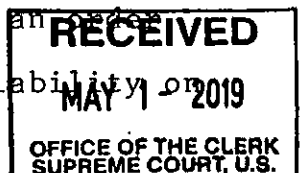
Relief Sought:

Comes now, the Movant, in forma paupris and pro-se form, Steven Justin Villalona, and moves this Honorable Court for an order granting an extension of time to file a petition for a writ of certiorari to the United States Court of Appeals for the Eleventh Circuit, for a period of 60 days to include July 28, 2019.

Grounds for Relief:

As grounds for the extension of time to file a petition for a writ of certiorari, the Movant avers as follows:

1. Pursuant to Sup. Ct. R. 13. 3, the Movant has 90 days to file in this Court a petition for a writ of certiorari to the U.S.C.A., 11th Circuit, because the 11th Circuit issued an order denying the Movant's request for a Certificate of Appealability on



February 27, 2019. Therefore, the petition for a writ of certiorari, is presently due for May 28, 2019.

2. On April 16, 2019, the Movant received his motion to vacate the denial of a request for a Certificate of Appealability which the 11th Circuit did not file because the case was closed, although the motion to vacate has a time stamp reflecting it was received by the Clerk of the Court for the 11th Circuit on March 4, 2019, and, the motion to vacate the denial was placed in the hands of prison authorities for filing with the 11th Circuit on March 12, 2019.

3. The Movant is currently seeking a reinstatement of the appeal so that the denial of the request for Certificate of Appealability may be subject to review pursuant to 11th Cir. R. 22-1(c). However, if the 11th Circuit does not reinstate the appeal and rule on the motion to vacate the denial, then the time remaining to frame a petition for a writ of certiorari is insufficient.

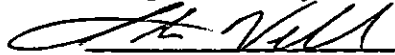
4. This Honorable Court may review a lower court's denial of an application for a certificate of appealability. See Hohn v. United States, 524 U.S. 236, 231-41 (1998)(Supreme Court has jurisdiction to review circuit judge or appellate panel denial of certificate of appealability because application is a "case" under 28 U.S.C. § 1254 (1)).

5. Because the Movant is currently an inmate at FCI-1, Oakdale, the Movant is unable to communicate with Assistant U.S. Attorney Colin P. McDonell to verify what position the U.S. takes on this matter.

WHEREFORE, based on the above, the Movant prays this Honorable Court extends the time to file a petition for a writ of certiorari for a period of 60, so that the 11th Circuit may review the denial

of the Movant's request for a Certificate of Appealability.

Respectfully Submitted,



Steven Villalona, Pro-se Movant.

Reg. No.: 55457-018.

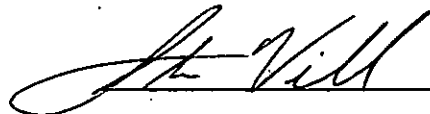
FCI-1, Oakdale. Unit, A-2.

PO BOX 5000

Oakdale, LA 71409

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing application was placed in the hands of Mr. Dill (c/o at FCI-1, Oakdale) for filing with this Court on April 23, 2019, and that a true and correct copy was forwarded to Colin P. McDonell, Assistant U.S. Attorney, at 400 N. Tampa St., Ste. 3200., Tampa, FL 33602, via U.S.P.S. first class pre-paid mail.



SWORN STATEMENT

I HEREBY CERTIFY under penalty of perjury that the statements made herein are true and correct to the best of my knowledge, and that this application is being made in good faith without intent to delay or frustrate the appellate process. See 28 U.S.C. § 1746.

Executed on April 23, 2019, in Oakdale, LA.

