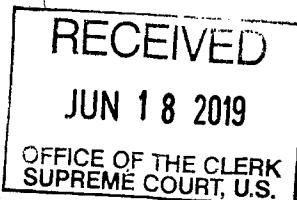


IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

NORGE MANDULEY,  
Petitioner,

vs.

UNITED STATE OF AMERICA,  
Respondent.



PROVIDED TO DES C.I.  
6-9-19 FOR  
INMATE INITIALS N.M.  
OFFICER INITIALS R.P.

Case No: \_\_\_\_\_

**MOTION FOR EXTENSION OF TIME**

To Petitioner, NORGE MANDULEY *pro se*, moves this Court pursuant to Supreme Court Rules 13.2 and 28 U.S.C.s 2101(c) for an extension of sixty (60) days time within which to petition the court for a writ of certiorari and, as grounds thereof, states that;

1. Manduley is a federal prisoner in the custody of the United States(U.S.) Bureau of Prison (BOP). This motion comes on the denial by the Eleventh U.S. Circuit Court of Appeal of a certificate of Appealability (COA)in its case number 18-11969,as well as the court's summary denial of Manduley's petition for panel rehearing. In his application for COA, Manduley asked the circuit court to review the summary denial of Manduley's motion for post-conviction relief pursuant to 28 U.S.C.s. 2255 by the U.S. District

Court for the Southern District of Florida. The circuit court entered its order denying COA on Jan 25, 2019, and on March 25, 2019, denied rehearing. See attached exhibits. Accordingly, this motion is timely if filed on or before June 24, 2019

2. As a Federal prisoner, this court is vested with jurisdiction for certiorari review of his collateral proceedings under 28 U.S.C.s 1254(1). Manduley argued below that the trial court's failure to offer the jury a "third option" of a lesser included offense violated his right to due process and a fair trial; and the court's departure from the sentencing guidelines upon insufficient evidence rendered his sentence illegal. Manduley now argues that the trial court's summary denial of post-conviction relief was rendered by a bias judge and should be reversed.
3. Manduley is a Cuban national who emigrated to the United States as an adult. His mother tongue is Spanish and he does not understand even simple English dialog. He is of average intelligence and is neither highly educated nor especially literate, neither trained nor skilled in the law, nor is he otherwise gifted in the art of litigation. Put succinctly, as a prisoner, he is entirely dependent on the help of fellow

prisoners and certified law clerks to research and prepare his legal papers.

4. Manduley is currently serving a sentence as a prisoner of the State of Florida in a unrelated case, which ends on June 13,2019, and he is about to begin his federal sentence in the BOP. Because of his imprisonment and imment release, he has been unable to obtain assistance to prepare his petition for writ of certiorari.
5. Manduley anticipate that the intake process and facility assignment by BOP may take several weeks. Preparation of petition for writ of certiorari cannot begin in earnest until Manduley is relocated to a permanent correctional facility. There, he will need to consult with law library staff and enlist someone to help him with his petition, before that individual can begin to familiarize himself with Manduley's case and research viable issues.
6. Accordingly, in Manduley's particular circumstances, the 90 days afforded by law and rule for him to seek a writ a certiorari is not adequate to permit him a fair opportunity to petition this court. Manduley conviction and sentence were obtained in violation of the U.S. Constitution, and he asks the court to extend by sixty (60) days-

to and including August 23,2019- the period for him to seek a writ of certiorari.

7. This motion is made in good faith, with no intent to unfairly delay the progression of these proceedings. Although he is not at liberty to communicate with Respondent in a timely fashion (e.g. telephone, facsimile, or e-mail) Manduley is confident that the U.S. Attorney will not object to the extention of time he seeks, and that this motion will proceed unopposed.
8. Wherefore, Petitioner Manduley respectfully request that this Honorable court enter an order extending by sixty (60) days, or to and including August 23, 2019, the time within to petition for a writ of certiorari, and grant such relief as the court deems just and proper.

Respectfully submitted,

/s/

  
NORGE MANDULEY, Appellant  
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