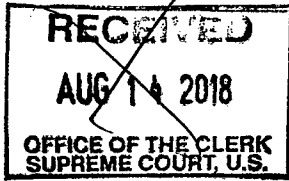


CASE 17-4069

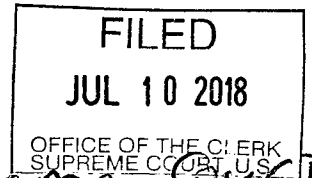
18A166



EXTENSION OF TIME REQUEST FOR
A PETITION FOR WRIT OF CERTIORARI

IN THE SUPREME COURT OF THE UNITED STATES

APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE
SUPREME COURT OF THE UNITED STATES.

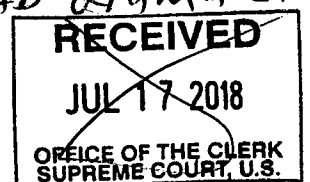


TO THE HONORABLE JUSTICE OF THE SUPREME COURT

PETITIONER. Andrew Constantino, REQUESTS AN EXTENSION
OF TIME TO FILE HIS PETITION FOR WRIT OF CERTIORARI

I RESPECTFULLY ASK FOR A 120 DAY EXTENSION. THE
2ND CIRCUIT DENIED MY PETITION ON APRIL 10TH 2018 AND
MY TIME EXPIRES JULY 10TH 2018. SEE ENCLOSED LETTER
WHY SUCH A LATE REQUEST IS BEING SUBMITTED. I
KNOW THAT THE RULES STATE THIS SHOULD OF BEING FILED
BEFORE JUNE 30TH. IF YOU READ THE ENCLOSED LETTER
YOU WILL SEE THE TRAVESTY THAT CONTINUES TO BE HAPPENING
HERE.

MY CONSTITUTIONAL RIGHTS WERE VIOLATED FROM DAY 1
AND CONTINUE TO BE VIOLATED AS YOU CAN SEE IN THE
LETTER. ENGLISH IS A SECOND LANGUAGE FOR ME SO
PLEASE EXCUSE MY HANDWRITING AND MY BAD GRAMMAR.



I AM NOT ASKING FOR SPECIAL FAVORS BUT WHAT
THE CONSTITUTION GUARANTEES EVERY AMERICAN.
THERE WAS FALSE TESTIMONY BY PROSECUTIONS WITNESSES
AND BY THE PROSECUTION WHICH I INTEND TO PROVE
THERE WAS JURY BIASED (DISCRIMINATION) AND A
ALTERNATE JUROR CAME FORWARD TO POINT THIS OUT.
THE TRIAL JUDGE REFUSED TO CALL A MISTRIAL
CLAIMING THIS TRIAL COST THE GOVERNMENT A LOT
OF MONEY. THE GIGLIO RULING BY THIS COURT
STATES THAT A CONVICTION OBTAINED BY FALSE
WITNESSES (A LIE) CAN NOT STAND.

I WATCHED JUDGE KAVANAUGH ANNOUNCED AS THE
PRESIDENTS PICK TO FILL A VACANCY AT THE SUPREME
COURT. IN HIS SPEECH HE SAID HE LOVES THE
CONSTITUTION AND DEVOTED HIS LIFE TO UPHOLD IT.
IT'S ALL I ASK TO BE GIVEN THIS TIME TO
PROVE MY CLAIMS AS THEY GO DIRECTLY TO THE
INTEGRITY OF THE JUDICIARY. THE REASON FOR
THE 120 DAYS IS THAT I SHOULD BE RELEASED TO
HARTFORD HOUSE IN THE NEXT 90 DAYS AND THAT
WILL GIVE ME ACCESS TO THE 22 PLUS HUGE BOXES
OF EVIDENCE TO PROVE MY CLAIM.

Please Allow me this opportunity that so
MANY American soldiers died defending the
Constitution. If Everything in the Constitution
is not defended Then what Good is it?

Respectfully submitted.

Andrew Constantino

21503014

FBI CAMP.

PO Box 1000

Ottsville N.Y. 10963.

7/10/18

D. Conn.
16-cv-608
11-cr-192
Hall, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11th day of April, two thousand eighteen.

Present:

Barrington D. Parker,
Reena Raggi,
Debra Ann Livingston,
Circuit Judges.

Andrew Constantinou,

Petitioner-Appellant,

v.


17-4069


United States of America,

Respondent-Appellee.

Appellant moves for a certificate of appealability. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED. First, Appellant has not “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). Second, Appellant has not shown that “jurists of reason would find it debatable whether the district court was correct in its procedural ruling” as to the denial of leave to amend the 28 U.S.C. § 2255 motion. *Slack v. McDaniel*, 529 U.S. 473, 478 (2000).

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk of Court


Catherine O'Hagan Wolfe



W. Theodore Koch III

Member:
Connecticut Bar
U.S. District Court
U.S. Court of Appeals, 2nd Circuit
U.S. Supreme Court

Attorney at Law
P.O. Box 222
Niantic, CT 06357

Phone: (860) 739-0721
Fax: (860) 434-9483
wtkoch3@gmail.com

Trials
Appeals
Habeas Corpus
Probate Court
State and Federal Court

July 4, 2018

Andrew Constantinou, 21503-014
FCI Otisville
Federal Correctional Institution
P.O. Box 1000
Otisville, NY 10963

Dear Mr. Constantinou:

Yesterday I received notice that the Second Circuit denied my motion to incur CJA fees to do your petition for certiorari. Their order is attached.

I had been waiting on this ruling for weeks. As you know, it took me a long time to get an answer from the case budgeting officer on how to proceed with this. I filed the motion he told me to file on June 19. I had carved out the time to do the work. I called the court June 26 and asked if they were going to issue an order on my motion. The clerk I spoke with said they would have an order out by the end of that week (June 29). That didn't happen.

Yesterday I spoke with the court budgeting officer again. He said that the information he gave me—that I had to file a motion for permission to incur CJA expenses—was wrong. He said, the fact is, the court would only pay CJA expenses if they thought it was one of the few petitions for certiorari that really has merit. He said, what I would have to do is this: Do the work, then they will decide if they pay for it, and I have to justify why I did it, and doing it because my client wants me to do it is not a good enough justification.

Based on their denial of your certificate for appealability to appeal to *them*, I do not believe they would see any merit in you taking your appeal to the Supreme Court. So, I am sorry to say that I can not do your petition for certiorari.

The budgeting officer also said to me, and the court says in its order, that you can do it pro se. I had told the budgeting officer that your deadline was July 10, which makes that basically impossible for you. He said, I don't know what to tell you.

Here is what I can tell you: If you want to try to take this to the Supreme Court yourself, the first thing you should do is file a motion to extend your deadline to file your petition. Ask for 60 days, to September 10. Enclosed is a sample motion.

Then, you can do it yourself. Enclosed is a guide provided by the Supreme Court itself on how to do it.

On the other hand, Andy, you could say to yourself that you took the fight as far as you could. You could let this particular mission go, and still tell your family you did everything you could. Because my truthful opinion, based on the way Judge Hall drafted her opinion, is that there is no merit to a petition to the Supreme Court anyway. Even the issue I said, at our last meeting, that I would raise—she should have granted us a hearing—is, in my opinion, weak. That is because she assumes, in her opinion, that what we would have presented at a hearing *still* wouldn't have made a difference.

I can go no further as your CJA lawyer. However, I know you will be coming back around the Shoreline, and I have a ton of boxes for you to take. I wish you the best of luck, and I am sorry that this case had to end with this crummy little order. Take care.

Regards,

A handwritten signature in black ink, appearing to read "Ted Koch", with a stylized flourish at the end.

W. Theodore Koch III



U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Institution

Otisville, New York 10963

August 1, 2018

MEMORANDUM FOR ALL CONCERNED

FROM: J. DeLeo, Camp Counselor

SUBJECT: Legal mail Constantinou #21503-014

This Memo is to confirm that Inmate Constantinou Register #21503-014 mailed Legal Mail to the Office of the Clerk of the United States Supreme Court on July 10, 2018. This is confirmed through his signature in the outgoing Legal Mail Record Log.

Proof it was mailed on July 10th

2/10/18
21503014
[Signature]
[Signature]
US Supreme Court
Office of the Clerk-Supreme Court

Proof it was mailed on July 10th