

No., _____

IN THE SUPREME COURT OF THE UNITED STATES

JERRY EUGENE SHRUBB, PETITIONER

VS.

MICHAEL R. CLARK, Superintendent, SCI - Albion,

JOSH SHAPIRO, Attorney General of Pennsylvania,

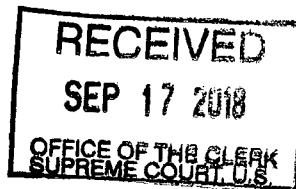
SHAWN T. MCMAHON, Elk County District Attorney, RESPONDENTS.

APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

To the Honorable Samuel A. Alito Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Third Circuit:

Petitioner, Jerry E. Shrub, prays for a 60-day extension of time to file his Petition for Certiorari in this Court to and including November 19, 2018. A time Petition for Rehearing of the Third Circuit was denied on June 22, 2018, and Petitioner's time to Petition for Certiorari in this Court expires September 20, 2018, as per Court Rule 13.1 and 13.3. This application is being filed more than 10 days before that date.

A copy of the Third Circuit Rehearing Order, Dissenting Statement, and



Magistrate Judge's Report and Recommendation below are attached hereto. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

As shown by the Dissenting Statement below, this case is a case of actual innocence where Trial Counsel was afflicted with Cerebellular Degeneration at the time of trial and Petitioner believes Trial Counsel was medically unable to effectively challenge the state's version of the facts, of which, unchallenged police testimony was inadequate, conflicting, and/or perjured in violation of my Fourth Amendment, Sixth Amendment, and Fourteenth Amendments. Petitioner has been denied his Due Process of Law by every Court denying the numerous motions/appeals beginning, but not limited to, the Honorable Richard A. Masson of Elk County by failing to file a 1925(A), Opinion on the Petitioner's first (original) claim of Ineffective Counsel.

Also, as shown by the Magistrate Judge's Report and Recommendation, Petitioner was statutorily denied Equitable Tolling and Certificate of Appealability by the District Court and Third Circuit Courts without ever assessing the debatable Constitutional Claims of actual innocence, Ineffective Counsel, Search and Seizure violations, Due Process violations, Ineffective Assistance of Appellate Counsel on Direct Appeal, " Abandonment of Counsel ", of which, not only did Petitioner exercise due diligence by filing a time pro se Motion clearly stating " abandonment of counsel ", but subsequently filed a Second P.C.R.A., 637 WDA 2015, and 283 WAL 2016 in continuation of his " abandonment of counsel " claim after thusly being timebarred from his state and federal remedies by the Superior Court of Pennsylvania. The case thus presents important questions under the Constitution of the United States which were determined adversely to Petitioner by the Courts below.

Petitioner is, but a layman of the law, whom is proceeding pro se and is currently incarcerated at SCI - Albion where there is a complete state-wide

lockdown on all state prisons due to a synthetic drug epidemic. This epidemic has directly and indirectly caused inmate mail to not be processed, no access to copies, nor access to the law library, as well as, caused previous lockdowns over the past few months. Also, the Petitioner has only been permitted his regular law library time of 2 hours per week (without a 30 day deadline), with which, then increases to 6 hours per week (with a 30 day deadline). Petitioner obviously needs additional time because of the indefinite lockdown and the less than 20 hours afforded over the past 60 days to perform the necessary legal research so that the questions may be properly framed and argued to this Court.

WHEREFORE, the Petitioner respectfully requests that an Order be entered extending his time to Petition for Certiorari to and including November 19, 2018. In the best interest of a fair administration of Justice, the Petitioner humbly prays for relief.

RESPECTFULLY SUBMITTED,

Dated: 09/04/2018



Jerry E. Shrubb, (Pro Se)
HE 9060, A-B 47-1
10745 Route 18
Albion, PA 16475-0002

cc: File / J.E.S.