

IN THE UNITED STATES SUPREME COURT

No. _____

UNITED STATES OF AMERICA, § From Fifth Circuit
Plaintiff & Respondent, § No. 15-40861 (Direct
v. § Criminal Appeal) and
§ USDC No.
ANSON CHI, § 4:12 CR155
Pro Se Defendant. §

EMERGENCY MOTION FOR EXTENSION
OF TIME IF APPOINTMENT OF
COUNSEL IS DENIED

ANSON CHI ("Chi"), pro se defendant, respectfully moves this Honorable Supreme Court for an extension of time to file a petition for a writ of certiorari if he is denied counsel. See "Emergency Motion for Appointment of Counsel to File Petition for Certiorari," mailed to this Court on March 13, 2018.

Chi has not 1 received any response

from this Court in regards to his motion for the appointment of counsel, so he has no idea what's going on. If Chi is denied counsel for the purpose of filing a petition for a writ of certiorari, he will need an extension of time to file a petition for a writ of certiorari.

In support thereof, Chi states as follows:

1. Since February 23, 2018, Chi has been in the Special Housing Unit (SHU) and locked inside a small cell for close to 24 hours a day, every day. On May 3, 2018, Chi was transferred to FCI Ray Brook, his new prison, and Chi is still locked inside a small cell in the SHU.

Chi will be in the SHU until at least June 29, 2018, which is way past the June 5, 2018, deadline for the petition for a writ of certiorari.

Chi has no legal materials/property at all, no personal property at all, not even a certiorari form booklet to write out his

petition. And since February 23, 2018, Chi has been to the law library just once for about 1.5 hours, which is not sufficient to do proper legal work, especially on a petition for a writ of certiorari.

Due to the foregoing hardships, Chi respectfully requests an extension (enlargement) of time of at least 60 days. (Chi knows this period ~~of~~ 60 days is the maximum, but he hopes this Court will grant him a period of 90 days so that when he gets out of the SHU on or around June 29, 2018, he'll have two months to file his petition for a writ of certiorari instead of just one month.)

Or just grant Chi's "Emergency Motion for Appointment of Counsel to File Petition for Certiorari" — you pick.

2. Chi desperately needs an extension of time to research ~~then~~ raise the following two issues/questions presented

in his petition for a writ of certiorari:

(a) In Johnson v. United States, 2015 U.S., this Honorable Supreme Court struck down the "crime of violence" language in the Armed Career Criminal Act. (Chi cannot cite the reporter due to his limited law-library access.) The vagueness ruling prompted copious litigation regarding the vagueness of similar language in other statutes.

In Sessions v. Dimaya, U.S. No. 15-1198 (affirmed 4/17/18), this Honorable Supreme Court again struck down the "crime of violence" language in an immigration law, ruling the "crime of violence" language as too vague and therefore violated the Constitution of the United States. This decision jeopardized other criminal laws with similar vague language, including firearms offenses under 18 U.S.C. § 924(c).

This Honorable Supreme Court's April 17, 2018, due-process/vagueness ruling in Sessions v. Dimaya vitiating "crime of violence" language in the ~~immigration~~ immigration law prompted the Tenth Circuit Court to do the same with 18 U.S.C. § 924(c)(3)(B), a "destructive device" used to commit a "crime of violence" under the criminal provision law; this "crime of violence"

language (in § 924(c)(3)(B)) was too vague under the "identically worded" criminal law for the same reasons it was too vague under the immigration law in Dimaya, supra. (Other circuits had upheld constitutional challenges to the criminal law, but that was before Dimaya. Id.)

Now to Chi: The Government indicted Chi on 18 U.S.C. § 924(c)(1)(B)(ii)—which carries a 30-to-life sentence—in two separate/different indictments; § 924(c)(1)(B)(ii) uses the unconstitutionally vague "crime of violence" language/definition that was tossed out in Sessions v. Dimaya. Though Chi was not actually convicted on 18 U.S.C. § 924(c)(1)(B)(ii), § 924(c) was used to pressure/coerce Chi into signing two separate/different involuntary guilty plea agreements. (It's on the record—multiple times, in fact—that the life sentence in 18 U.S.C. § 924(c)(1)(B)(ii) pressured/coerced Chi into signing two separate/different involuntary guilty plea agreements.)

Chi raises the issue here, and raises it in his petition for a writ of certiorari, that

an unconstitutionally vague statute (per the "crime of violence" language in § 924(c)) cannot be used to pressure/coerce a defendant (Chi) into signing an involuntary guilty plea. Chi's involuntary guilty plea should be vacated/withdrawn because § 924(c) is unconstitutionally vague. (The vague "crime of violence" language in the immigration law in Dimaya and 18 U.S.C. § 924(c)(3)(B) is materially identical to the provision in § 924(c), so § 924(c) should be unconstitutionally void for vagueness.)

(b) Chi is a victim of police brutality/torture, and he has the severe permanent injuries to prove it. In fact, he had filed myriad evidence in the lower Federal courts, evidence such as pictures of his torture injuries; medical records documenting the police brutality; a tortured confession documenting the police brutality; even news interviews with ABC, CBS, and FOX about the police torture, etc. All Chi needs is a simple venous Doppler ultrasound (medical examination) to prove it all.

However, Chi's ex-attorneys refused to

get Chi a medical examination, so Chi proceeded pro se to file motions for a medical examination, medical examiner, etc.

Again however, the district court denied all of Chi's motions and even refused to file Chi's three petitions for a writ of mandamus ordering a medical examination! (All three petitions were sent by certified mail with return receipts, proving the district court received all three, signed for all three, and even mailed Chi back the return receipts.)

Chi raises the issue here, and raises it in his petition for a writ of certiorari, that a pro se defendant (in a criminal case) should be allowed to file his/her pleadings (motions, petitions, etc.) electronically in order to ensure that they do get filed like they're supposed to and in order to avoid the district court's refusal to file crucially important documents that help criminal defendants get relief/succor.

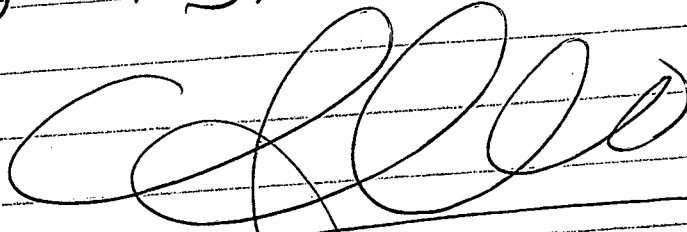
Chi respectfully beseeches this Honorable Court for a 60- to 90 day extension of time

in order to thoroughly and sufficiently research the foregoing two issues, then properly complete a petition for a writ of certiorari.

For example, Chi needs the extra time to procure his legal property and show how "[i]t's on the record — multiple times in fact — that the life sentence in 18 U.S.C. § 924(c)(1)(B)(i) pressured/coerced Chi into signing two separate/different involuntary guilty plea agreements." See page 5. And Chi can also show that his three petitions for a writ of mandamus (ordering a medical examination) were sent by certified mail with return receipts with the tracking history, signatures, everything — all on the record! See page 7. Extra time is necessary to present Issue (a) and Issue (b) properly.

WHEREFORE, PREMISES CONSIDERED, Chi respectfully prays that this Emergency Motion be in all things granted if he is denied counsel. See "Emergency Motion for Appointment of Counsel to File Petition for Certiorari," mailed to this U.S. Supreme Court on **March 13, 2018**.

RESPECTFULLY SUBMITTED/SIGNED, + his
the 10th day of May, 2018.

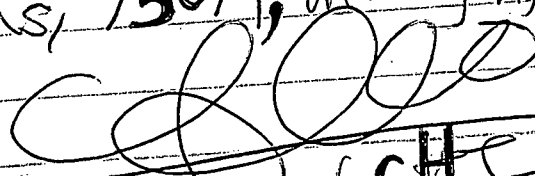


ANSON CHI
U.S. Slave No. 44588-177

Placed in the Prison Mailing System on May
11, 2018.

CERTIFICATE OF SERVICE

I, ANSON CHI ("Chi"), do hereby
certify that a copy of this Emergency Motion
has been mailed, with first-class postage
whereon fully prepaid, to the United States
Attorney's Office at 101 E. Park Blvd, Suite
500, Plano, Texas, 75074, on May 11, 2018.



ANSON CHI

Si vis pacem, para bellum