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SUPREME COURT, U.S.

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DATE 21 Sept 18

INMATE INITIALS [Signature]

JAMES FORNEY

PETITIONER

v

CASE #

STATE OF FLORIDA

RESPONDENT

MOTION TO JUSTICE CLARENCE THOMAS FOR
AN EXTENSION OF TIME TO FILE A PETITION
FOR A WRIT OF CERTIORARI

Petitioner, James Forney, pro se, files this application for an 60-day extension of time to file a petition for a writ of certiorari due to exceptional circumstances, pursuant to this Court's Rule 13.5, and 30.2; and in support of this request, the Petitioner states:

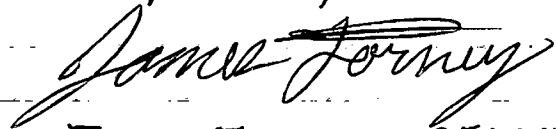
1. The petitioner intends to file a petition for a writ of certiorari requesting this Court to, not only, review the decision of Florida's Fourth District Court of Appeal, for its departure from the essential requirements of law, rendered 28 Feb. 2018, in case #4D17-3854 (see now, Exhibit "A"); along with the HDCA's denied rehearing, rendered 10 April 2018 (see now, Exhibit "B"); but also Florida's Supreme Court's claimed lack of jurisdiction, rendered 26 June 2018, in case # SC18-750 (see now, Exhibit "C"), which must be challenged as being highly unconstitutional, as well as the core reason that tyranny is being found in Florida's Judiciary.

2. Rule 13.1 requires that petitions for a writ of certiorari is to be filed within 90-days from the last state court's rendition, which in this case would be 24 Sept. 2018.
3. The Petitioner is an inmate in the Florida Department of Corrections, who was transferred temporarily to RMC (Reception and Medical Center) - Main Unit, on 26 July 2018 for some medical treatment.
4. Petitioner's legal files, however, did not come to RMC at that time — separation from essential documentation (54 days, see below details).
5. Also, due to security reasons, prison officials at RMC do not allow access to temporary medical status inmates (i.e., petitioner) for general "research" days in the law library, and only if they have a verifiable deadline. Under Fla. Admin. C. 33-501.301 (f)(1) a registered deadline does not begin to run until 20-days prior to the date a pleading is due to be filed in court (i.e., in this case would have been 4 Sept. 2018).
6. Petitioner had submitted a couple of requests for deadline access; the first having been returned after a few days without any written response, so the second was submitted but not quite handled properly, wherein, petitioner was not officially placed on a callout and allowed access to RMC's Law Library until 18 Sept. 2018 (resulting in an overall deprivation of 14 days of the 20-day period).
7. Also, on 18 Sept. 2018, petitioner learned that his legal files had just arrived at RMC, and now stored in their Law Library (total separation of 54 days, and only 6 days left until the certiorari petition is due to be filed).

8. The Petitioner is projected to be here at RMC until mid October (barring further difficulties).
9. The Petitioner's separation from his legal files for 54 days should, in good faith, warrant an exceptional circumstance for reasonably requesting an extension of time.
10. The Petitioner's lack of access to the Law Library, law clerks, and rule books constitute extraordinary circumstances that should excuse the Petitioner from the requirement that this motion be filed 10-days before the date the petition for a writ of certiorari was due (only afforded access for 6 days prior to due date).

Wherefore, James Forney, pro se petitioner, moves this Court to grant him a 60-day extension to file a petition for writ of certiorari.

Respectfully submitted,



James Forney - 125989

RMC

P.O. Box 628

Lake Butler, Fl. 32054

cc U.S.S.Ct. (original)

Fl.'s AG - Tallahassee:

Florida's Attorney General

The Capitol, PL-01

Tallahassee, Fl. 32399-1050