

Mr. Johnathan S. Williams
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ORIGINAL

In Pro Se

IN THE SUPREME COURT
OF THE UNITED STATES

JOHNATHAN SAMUEL WILLIAMS,)
Petitioner,)
v.)
CALIFORNIA DEPARTMENT OF)
CORRECTIONS AND REHABILITATION,)
DRS. KURK, WOODS, MCINTYRE, et al.,)
Respondents.)

Case No. _____
U.S.C.A.# 15-17402
U.S.D.C.# 11-cv-2526 WBS

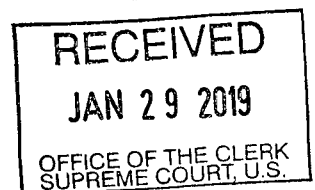
REQUEST FOR EXTENSION OF TIME

PURSUANT TO RULE 13.5

COMES NOW THE PETITIONER OF THE ABOVE ENTITLED ACTION SEEKING
AN EXTENSION OF TIME IN WHICH TO FILE A PETITION FOR REVIEW .

The PETITIONER of the above entitled action was denied en banc relief by
the United States Court of Appeals for the Ninth Circuit on November 2, 2018.
Since that time, due to the policies and practices of the California
Department of Corrections and Rehabilitation, petitioner has only
been able to access the prison law library approximately thirty times.

The prison wherein he has been confined has been on "modified
program" since the end of October. Petitioner was NOT involved in any
way in any of the incidents that led to the "modified" program.
Petitioner has diligently sought to complete the legal research
necessary to timely file his petition for review under these handicaps.



Therefore, petitioner prays that the Court will grant him an 60 day extension of time as provided for by Rule 13(5), and take judicial notice of the additional Due Process violation that the district court's motion illustrates.

This will vindicate the age old Latin maxim: 'Justitia nemini neganda est' and 'Nec curia deficeret in justitia exhibenda.'

Respectfully submitted,

Dated: Jan 22, 2019

/s/ J.S. Williams
J.S. WILLIAMS, Pro Se

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D E C L A R A T I O N O F F A C T S
I N S U P P O R T O F P E T I T I O N

Petitioner, proceeding pro se, submits the following facts pursuant to 28 U.S.C.S. §§ 1746 et seq. Petitioner requests that the Court take judicial notice of the asserted facts pursuant to the Federal Rules of Evidence Rules 102, 103, 302, 401, 402, 608, 704, 1101, and any other applicable state or federal Rule allowing Petitioner to submit personally known testimonial facts.

The FACTS asserted herein in this petition, and in the legal arguments tendered in support of the petition are also requested to be judicially noticed.

WHEREFORE, Petitioner asserts that the following statements are true and correct to the best of his personal knowledge.

1. Petitioner was denied relief by the Ninth Circuit Court of Appeals on 7-13-18.

2. Petitioner timely sought en banc of the denial which was also denied on 11-02-18.

3. Petitioner sent a request to this Court for an extension of time which was responded to by the Clerk of the Court on 11-16-18.

4. Petitioner was appointed counsel by Judge Shubb of the United States District Court (E.D. Cal.) on the underlying action.

5. That appointment was impeded and "limited" by the actions of the magistrate which had an adverse impact on petitioner's state and federal civil rights.

6. Petitioner has ongoing mental health issues that often have an impact on his ability to concentrate and file documents.

7. Petitioner is taking medications prescribed by the CDCR

to combat his diagnosed clinical depression and PTSD sickness.

8. Petitioner's ability to access the prison law library has been systematically impeded on a regular basis.

9. Pursuant to a new CDCR Memorandum, the physical law books have been removed from the CDCR law library at CTF Soledad.

10. Since petitioner's denial by the Ninth Circuit Court of Appeals, there have been several "modified programs" stopping almost all law library access even though he was not involved.

11. After the denial by the Ninth Circuit, petitioner was notified by the District Court of the termination of "matters at Docket entries 30, 34, 56, 63, and 65 as matters pending before the court."

12. District Court Docket entries No. 30 and 56 were motions for injunctive relief that were "FILED" before the motion to dismiss was filed by the RESPONDENTS.

13. The RESPONDENTS filed a motion with the Ninth Circuit objecting to the request for judicial notice filed by petitioner which only included documents and declarations that had been filed previously in the District Court.

14. Because of the holidays and historical timeline petitioner's mental disability has been exacerbated.

15. Petitioner needs at least another sixty days to complete the petitioner for review.

I, Johnathan Williams, PRO SE, do hereby attest to the veracity of the information, circumstance, and evidence submitted herein. I further state that pursuant to Federal Civil Rule 01, that consistent with federal law the position asserted, and defenses advanced by me as counter argument, are NOT interposed for any improper or dilatory purpose.

Dated: Jan 22, 2019

J. S. Williams

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