

SUPREME COURT OF THE UNITED STATES

Worcester, SS

Massachusetts Supreme Judicial Ct.
No. SJC-2018-0342
United States Supreme Court
No. _____

Commonwealth of Massachusetts)
)
)
)
)
v.)
)
)
)
)
Bruce Anderson)

MOTION FOR ENLARGEMENT OF TIME

NOW comes the defendant in the above-entitled matter and moves this Honorable Court for an enlargement of time to May 14, 2019, for the defendant to file his Writ Of Certiorari to the Supreme Court of the United States.

AS reasons therefor, the defendant submits that his criminal proceeding is "technically" still under appeal in the Massachusetts Supreme Judicial Court as outlined in the attached affidavit of the defendant.

WHEREFORE, the defendant prays this Honorable Court ALLOW this Motion for the reasons stated herein as well as those in the affidavit of the defendant attached hereto.

By,



Bruce W. Anderson, pro se
North Central Corr. Inst.
P.O. Box 466
Gardner, MA 01440

Dated: January 4, 2019

AFFIDAVIT OF BRUCE ANDERSON

IN RE: SJC-2018-0342

I, Bruce Anderson, do hereby depose and say that:

- 1.) I am the defendant in the above-entitled matter;
- 2.) As a result of my conviction in 1989, I am currently serving a "Life Without Parole" sentence in Massachusetts;
- 3.) On February 27, 2018, I filed a Motion For A New Trial, which was denied by the Superior Court on July 10, 2018;
- 4.) On October 15, 2018, the Massachusetts Supreme Judicial Court, under the single justice "Gatekeeper" provision of Massachusetts General Laws chapter 278 §33E, DENIED my petition for review before the full court;
- 5.) The denial on October 15, 2018, would give the defendant until January 14, 2018, to file his Writ Of Certiorari to the United States Supreme Court;
- 6.) On December 17, 2018, the defendant filed a "Notice Of Appeal" with the Clerk of the Supreme Judicial Court;
- 7.) Normally, an appeal of the single justice "Gatekeeper" provision is not appealable unless the case represents a "new and substantial issue" which the defendant can demonstrate. Such was the case in Commonwealth v. Robinson, 477 Mass. 1008 (2017)
- 8.) As of January 4, 2019, the clerk of the Massachusetts Supreme Judicial Court has not "entered" the appeal. However, on December 21, 2018, the clerk did forward to the defendant their "Notice" requesting the payment of the three hundred dollar filing fee or in the alternative the request for a waiver of the filing fee;
- 9.) On December 26, 2018, the defendant filed his "Affidavit of Indigency" with the clerk of the Massachusetts Supreme Judicial Court;

10.) This matter is still pending with the Massachusetts Supreme Judicial Court;

11.) Out of an abundance of caution, so as to preserve his rights, the defendant has today filed with this Court his "Motion For Enlargement Of Time" to file his Writ Of Certiorari.

Sworn to under the pains and penalties of perjury on this day.

By,



Bruce W. Anderson, pro se
North Central Corr. Inst.
P.O. Box 466
Gardner, MA 01440

Dated: January 4, 2019