

NO. _____

IN THE SUPREME COURT OF THE UNTIED STATES

Philip Andra Grigsby,

Petitioner,

vs.

United States of America,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

MOTION TO PROCEED AS VETERAN

Philip Andra Grigsby, Pro se

Reg.# 22325-031

USP-Tucson

P.O.Box 24550

Tucson, AZ. 85734

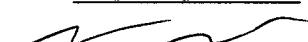
MOTION TO PROCEED AS VETERAN
(Sup.Ct.R.40.1)

Petitioner, Philip Andra Grigsby, moves the Court for an order permitting him to proceed in this Court, as a veteran, with his petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit, and to proceed on papers prepared under Supreme Court Rule 33.2, as authorized by Supreme Court Rule 40.

Grounds of Relief

Petitioner should be permitted to prepare papers under Supreme Court Rule 33.2 because by statute and under Supreme Court Rule 40.1, petitioner is excused from payment of fees and costs. Petitioner's veteran status is established in the accompanying affidavit set out below, as required by Supreme Court Rule 40.1.

Date: 1/3/2018



Philip Andra Grigsby

Reg.# 22325-031

USP-Tucson

P.O.Box 24550

Tucson, AZ. 85734

AFFIDAVIT OF PHILIP ANDRA GRIGSBY

)
State of Arizona)
County of Pima)

I, Philip Andra Grigsby being duly sworn, deposes and states:

My name is Philip Andra Grigsby. I am over 18 years of age. I reside at United States Penitentiary-Tucson, P.O. Box 24550 in Tucson, Arizona. I am fully competent to make this affidavit and I have personal knowledge of the facts in this affidavit. To my knowledge, all of the facts stated in this affidavit are true and correct.

I am a veteran within the meaning of Supreme Court Rule 40.1 as established by the certified copy of DD214, Honorable Discharge dated June 27, 1980, a true and correct copy of which is attached to the Affidavit as Exhibit "A".

I believe I am entitled to the redress I seek by petition for certiorari to the United States Court of Appeals for the Tenth Circuit, and that the petition presents substantial questions.

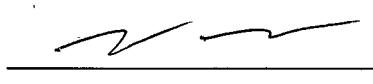
The nature of the questions to be presented by such petition for certiorari is as follows:

a: Has the United States Court of Appeals for the Tenth Circuit failed to consider all relevant facts prior to denying a Certificate of Appealability?

b. I contend that the United States Court of Appeals for the Tenth Circuit erred in holding that the Motion To Strike was not a valid concern that was essential to discuss by a three [3] Judge panel.

This petition is presented in good faith and not for any improper purpose.

I signed this affidavit on 1/3/2019, ^{PG} 2018 at United States Penitentiary, Tucson, Arizona.


Philip Andra Grigsby

SUBSCRIBED AND SWORN TO BEFORE ME on:

 at

United States Penitentiary-Tucson, Arizona

[Case Manager Stamp]

CASE MANAGER

AUTHORIZED BY THE ACT OF JULY 7TH, 1955. *on*

AS AMENDED, TO ADMINISTER OATHS.

1-3-19

18 U.S.C. 4004

1. 10-3-19


Case Manager Signature

D. Marcus

Case Manager Name

**Additional material
from this filing is
available in the
Clerk's Office.**