

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001
November 1, 2018

Mark Woods, pro se : MOTION TO REDIRECT THE CLERK
 : TO FILE PETITION OUT OF TIME
v. :
 : USACA3 No. 17-1073
 :
WARDEN, PHILADELPHIA, FDC :

MOTION TO REDIRECT THE CLERK TO FILE PETITION OUT OF TIME

COMES NOW, Mark Woods, pro se, respectfully redirecting the Clerk to file his petition out of time that was recieved by the Clerk originally on August 14, 2018. The petitioner filing dead line was on August 2, 2018. However, due to the fact that an institution employee at the Federal Detention Center, Philadelphia, withheld his petition until after his filing due date-August 2, 2018 and did not return his petition until after his filing dead line-August 3, 2018; The petitioner was prevented from being able to comply with his filing dead line.

The petitioner has been going through a series of issues with this particular institutional staff in regards to the mishandling and untimely return of his legal work for months. He has filed numerous complaints with the appropriate staff on this vital issue, which has now affected, possibly, his petition being filed by this Office. It is respectfully requested that he's not prevented access to the Court for that which was totally out of his control.

CONCLUSION

WHEREFORE, I, a/k/a Mark Woods, again, respectfully redirect the Clerk to file his petition out of time due to the above stated reasons.

Respectfully,

By: /s/ Mark Woods

Date; Novemeber 1, 2018

Mark Woods 72075-066

ALD-114

February 1, 2018

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 17-1073

MARK WOODS, Appellant

VS.

WARDEN PHILADELPHIA FDC

(E.D. Pa. Civ. No. 2-16-cv-05766)

Present: MCKEE, VANASKIE and SCIRICA, Circuit Judges

Submitted are:

- (1) Appellee's motion to be excused from filing a brief and for summary affirmance;
- (2) Appellant's response to appellee's motion; and
- (3) Appellant's motion for summary reversal

in the above-captioned case.

Respectfully,

Clerk

ORDER

We exercise jurisdiction under 28 U.S.C. §§ 1291 and 2253, and review the District Court's denial of habeas corpus relief de novo. See *Vega v. United States*, 493 F.3d 310, 313–14 (3d Cir. 2007). Assuming arguendo that appellant properly invoked the District Court's jurisdiction to consider his pre-trial habeas petition filed pursuant to 28 U.S.C. § 2241, we summarily affirm the District Court's order entered on December 29, 2016, denying that petition because no substantial question is presented by this appeal. See Third Circuit LAR 27.4 and I.O.P. 10.6. The District Court's jurisdiction over appellant's criminal prosecution is indisputable. See U.S. Const. art. III, § 2; 18 U.S.C. § 3231. Additionally, the question of whether the robbery of a drug dealer falls under the Hobbs Act was resolved adversely to appellant by the Supreme Court in *Taylor v. United States*, – U.S. –, 136 S. Ct. 2074, 2077–78 (2016). Appellee's motion to be excused from

filing a brief and appellant's motion for summary reversal are thus denied as moot.

By the Court,

s/ Thomas I. Vanaskie
Circuit Judge

Dated: May 4, 2018

sb/cc: Mark Woods

Salvatore L. Astolfi, Esq.

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