

IN The
Supreme Court of the United States

Eric G. Gordon,
Petitioner,

v.

FRANK H. EASTBROOK, ET. AL
Respondent,

Motion to direct the Clerk to file
Petition for a Writ of Certiorari out of time

Now Comes Petitioner, Eric G. Gordon, to file
hereby moving this Honorable Court to except this
Petition for a Writ of Certiorari.

IN Support of this Motion, Petitioner
states the following:

- 1) The judgment denying a timely petition for rehearing was Aug. 23, 2017. I received the final judgment on or about Aug. 26-27, 2017.
- 2) After receiving the final judgment, I, the petitioner was still a resident in Stateville C.C. and attempted to gain access to the law library immediately.

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- 3) Before I was scheduled to attend the Law Library in Stateville C.C. I, Eric G. Golden, petitioner was transferred to Pinckneyville C.C. on Sept. 13, 2017.
- 4) Upon my arrival to Pinckneyville C.C. I, Eric G. Golden immediately submitted a request to gain access to Law Library. After a few weeks I was granted access, but my excessive legal box with all of my court order's were not available to me at that time.
- 5) After vigorously attempting to gain access to my excessive legal box I was pressed for time. So I, Eric G. Golden, petitioner submitted a motion to this honorable court asking for an extension of time.
- 6) I, Eric G. Golden, petitioner never received a response to my request for an extension of time, so I continued to push forward passionately, and vigorously to make the Nov. 21, 2017 deadline.

7) I was finally given access to my excessive legal box. I retrived my court orders and sent for the certification of my trust fund provided by Karen Pickering Acct. Tech and signed off on Nov. 16, 2017.

8) The only reason why there was no notarization on the proof of service, was because, the lady that ~~now~~ the law library said that it wasn't required. She said according to rule 29 it required a notarized statement or declaration.

9) I actually had the petition finished Nov. 18, 2017, but I put the deadline date before I submitted it to the correction officer to put in mail bag because during the holiday season the mail room is backed up with ~~out~~ going and in-coming mail, and I was told that the mailing rules applied.

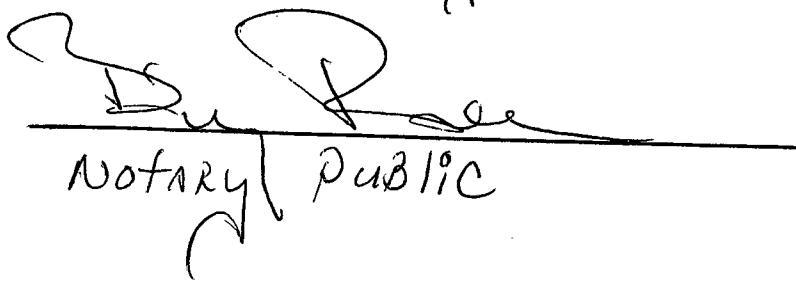
10) I feel that I AM being penalized for the insufficient mailing system here at Pinckneyville C.C. and the entire Illinois Department of Corrections. I am serving 40 yrs for something that I did not do, this is my life on the line.

I, ERIC G. GOLDEN, BEING FIRST DULY SWEORN
UPON OATH, DECLARES UNDER THE PENALTY OF PER-
JURY AS PROVIDED BY LAW PURSUANT TO 735 ICS
5/1-109, THAT I AM THE PETITIONER, HAVE READ
THE ABOVE MOTION AND THE INFORMATION IS
TRUE AND CORRECT IN FACT AND SUBSTANCE TO THE
BEST OF MY KNOWLEDGE. I AFFIX MY HAND TO
SIGN THE DEC. 2018, ATTESTING TO THE TRUTH
THEHEREOF.

ERIC G. GOLDEN
PRINT NAME

18/ Eric Golden

SUBSCRIBED AND SWEORN BEFORE
ME THIS 21st DAY OF December 2018.



NOTARY PUBLIC



United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted August 15, 2017
Decided August 23, 2017

Before

DIANE P. WOOD, *Chief Judge*

FRANK H. EASTERBROOK, *Circuit Judge*

No. 16-3264

ERIC GOLDEN,
Petitioner-Appellant,

v.

RANDY PFISTER,
Respondent-Appellee.

Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 15 C 8538

Virginia M. Kendall,
Judge.

ORDER

Eric Golden has filed a notice of appeal from the denial of his petition under 28 U.S.C. § 2254 and an application for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. *See 28 U.S.C. § 2253(c)(2).* Golden has procedurally defaulted federal review of his claims. Those claims that were not considered by the state appellate court were defaulted because the rule against hybrid representation is an independent and adequate state ground. *See Clemons v. Pfister*, 845 F.3d 816 (7th Cir. 2017). His claim asserting ineffective assistance of appellate counsel (for not arguing about other crimes evidence) was not fairly presented to the Supreme Court of Illinois, so it too was procedurally defaulted. The state appellate court's conclusion on Golden's ineffective assistance claim for not moving to quash the arrest was reasonable.

No. 16-3264

Page 2

Accordingly, the request for a certificate of appealability is DENIED.

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