

DECLARATION OF PETITIONER RICHARD A.KING  
IN SUPPORT OF COMPLIANCE OF SUPREME COURT  
RULE 29.2

Declarant herein is a prisoner of the United States registration No. 97546-131, confined in F.C.I. Schuylkill PA. and declares under the penalty that the facts stated in this declaration are true and correct.

The record establishes that declarant was granted an enlargement of time to file his petition for a Writ of Certiorari in the United States Supreme Court up to and including September 23, 2019. Exhibit "A".

In support of compliance with that order: I declare that, at about 1200 hours on September 23, 2019 I personally deposited in the institutions internal mail system my Petition for a Writ of Certiorari first class postage prepaid Certified United States mail #7017-2620-0001-1642-9475. In compliance with EX "A" and Supreme Court Rule 29.2. This fact can be corroborated by the institutions camera surveillance system showing all inmate movement to and from the inmate mailroom on September 23, 2019.

Furthermore declarant made numerous calls to the Supreme court during the month of October to verify that the Petition was received and filed. However it was not until November 1, that declarant connected with the courts case analyst, who advised Declarant that on October 4, 2019 Declarants Petition and related documents were returned to him via reg US Mail, for want of this declaration. Declarant's call was made from his prison counselors office and witnessed by him. Said counselor immediately called

the prison mail-room and was informed by staff that the Supreme Court Mail had indeed been returned but not delivered to Declarant, in part because of the volume of the petition and related documents would use a lot of toner to copy. There is a back story. Because of the volume of the drug K-2 that is being smuggled into the prison by spraying the inmate mail with the K-2, the warden now copies all inmate mail including all mail from the Supreme Court. The Warden then delivers the copies to the inmate. Inmates are not shown the originals or are privy to what happens to the originals.


In any case upon learning the returned mail was collecting dust in the mail room Declarant was instructed to retrieve the returned mail from the mail room which Declarant did on November 1, 2019 the day he learned it was there, with instructions from this court EX "B". But for this inexplicable mailroom delay Declarant could have resubmitted weeks ago. See Exhibit "C" Memorandum by Declarant's prison counselor.

Furthermore the Month of November has been unusually hard for pro se inmates to prepare and mail their pleadings. Due to too numerous days with fog, power outages, underground water pipe leakage and flooding in the main kitchen that has caused unexpected lock-downs causing numerous closures and cancellations of the prison law library. The only place with type writers and the only inmate copier which was out of order until November 27, 2019. When the inmates only copier is out of order the only option is to request staff to make copies when they are available to do so. Staff made copies are 20¢ per copy. While inmate made copies are much less, about 13¢ per copy. Which to the indigent inmate causes a substantial hardship.

Moreover, even buying sufficient postage for this indigent declarant to resubmit his petition and reserve the respondent has caused substantial hardship and delay. Accordingly, due to circumstances completely beyond Declarant's control he has experienced unusual and verifiable hardships returning his corrected inartfully drafted petition with appendices 1-23.

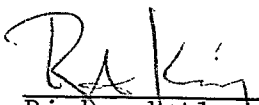
Declarant therefore, begs the court leave to resubmit his petition because as explained herein said petition for a Writ of certiorari was originally served timely in compliance with the courts order on September 23, 2019.

Respectfully submitted

  
Richard Alan King pro se

Pursuant to 28 USC § 1746:

"I declare under the penalty of perjury that the foregoing declaration is true and correct. Executed on 12.03.19.

"  
Richard Alan King (pro se)  
Reg # 97546-131  
F.C.I. Schuylkill  
P.O. Box 759  
Minersville PA. 17954



U.S. Department of Justice  
Federal Bureau of Prisons

---

FCI Schuylkill, Minersville, PA

November 6, 2019

MEMORANDUM FOR Ms. Nesbitt

FROM: C. DeWald, Correctional Counselor

SUBJECT: Inmate King, Richard #97546-131

This letter will confirm that the Supreme Court mailing sent by you on October 4, 2019 addressed to inmate King, Richard #97546-131 was delivered to Mr. King on November 1, 2019.

EXC