

SUPREME COURT OF UNITED STATES

Nelson. Romero. 1127658.

No. 3:13-0098

Lorie. Davis. Director. Civil Action. ~~No. 3:13-0098~~

No. 19-40729

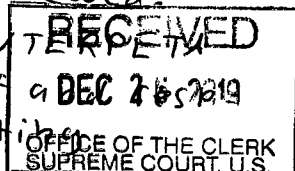
MOTION FOR EXTENSION

Dear Sir or Madam I'm seeking help from The State Council for offenders. I have good grounds to have this case dismissed in my favor. Case is position of a deadly weapon in a penal institution. However this case was REMANDED back to the District Court Jan. 5th. 2016. by the 5th. Circuit. I was being helped by other inmates until State Prison transferred me to different prison. I have no education up to 5th grade. On January 5th. of 2016. THE Fifth Circuit remanded this case for further proceedings.

I was TRANSFERRED to different prison June of 2016.

one full year and TEN months After fifth Circuit REMANDED This Case back to District Court Judge Georg. C. Hank's. ORDERED me to file a response to State's motion for Summary Judgment. AND The only reason District Court did ORDER me to do that is cause I wrote back to 5th. Circuit and asked what's out come on my case. However I filed a timely response for appeal and extension demonstrating due diligence Pursuing a liberty issue. Then February 2nd. 2018 I filed A brief labeled brief to defeat Summary Judgement Dist Court Interpreted the filing as rule 60(b) MOTION. Instead of it's intended purpose of contesting the factual grounds presented by respondent in the motion for Summary Judgement. The District Court Never Made Affirmative ruling on my original claim that he was Divested of his right to Due Process in violation to and of 14th. Amendment of the Constitution of United States. I'm identifying the judgment sought to be reviewed.

Did the District Court abuse it's discretion in INTERPRETATION of my filing when it determined A brief once filed as A rule 60(b) Motion. And granted



Respondants Motion for summary Judgement and There by Dismissing Case with Prejudice AND no further Proceedings. There by Issuing ORDER for no further Proceedings and not certifying any issue for Appeal Thus not allowing Petitioner any AVENUE for relief. Because I don't know the law my first thought was to write back to fifth circuit and imiditly to supreme court both 5th. Cir and supreme court send me back to District court. on April 26th. 2018. Court dismissed Petition for a writ of habeas corpus and entered final Judgment. Then on September 18th. 2018. Romero filed motion for reconsideration Dkt. 52. it also was DENIED. November 13th. 2018. It was dismissed with no further proceedings so I wrote to higher court's They say It took me more than twenty eight days After judgment was entered. AND The original MEMORANDUM- OPINION and ORDER was mailed to the 5th. circuit. I'm mailing A Verbatim Hand Copy of opinion and ORDER. The final day to file a timely notice of appeal was Aug. 1st. 2019. I got help form another inmate put together Appeal and Informa Paperis documents Pursuant to rule 10 (b) (1) showing Courts at all times I'm Intelligent and have no income showing grounds for Leave Pursuant to 28. USC. sec. 1915. placed in mail box on 9-2-19. for day's shy of the 30 day dead line. They had one year 10. month's I was late 4. day's and dismissal for want of jurisdiction.

To review rule 60(b) filings and relief from final Judgement DEFECT in the integrity of federal habeas Proceedings or challenge Procedural ruling that precluded A merits Determination will be weighed see. Gonzales 543. US. At 538. . Ochoa Canales - v - Quarterman 884, 887. (5th. Cir. 2007) And Procedural Default ruling see Rocha - v - Thaler 619. F.3d. 387. 399. N. 26. 5th. Cir. 2010. Romero Prays for 60 Day EXTENSION.

Nelson Romero 1127658

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Allred. unit. 2101. FM. 369.

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