

IN THE  
**Supreme Court of the United States**

---

HUBERT RIVAS-GRANADOS,

*Petitioner-Appellant,*

v.

UNITED STATES OF AMERICA,

*Plaintiff-Appellee.*

---

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR  
WRIT OF CERTIORARI TO THE UNITED STATES SUPREME COURT**

---

HUBERT RIVAS-GRANADOS  
REG. NO. 33951-379  
CI NORTH LAKE  
CORRECTIONAL INSTITUTION  
1805 WEST 32ND STREET  
BALDWIN, MI 49304  
APPEARING *PRO SE*

COMES Petitioner-Appellant, HUBERT RIVAS-GRANADOS ("Rivas-Granados"), appearing *pro se*, and moves the Court for an extension of time to file Petition for Writ of Certiorari to the United States Supreme Court ("Writ of Certiorari") as follows:

## **I. PRELIMINARY STATEMENT**

As a preliminary matter, Rivas-Granados respectfully requests that this Court be mindful that *pro se* complaints are to be held “to less stringent standards than formal pleadings drafted by lawyers,” and should therefore be liberally construed. *Caldwell v. Warden*, 748 F.3d 1090 (11<sup>th</sup> Cir. 2014); *Estelle v. Gamble*, 429 U.S. 97 (1976)(same); and *Haines v. Kerner*, 404 U.S. 519 (1972)(same).

## **II. RELEVANT BACKGROUND**

On September 24, 2015, Rivas-Granados filed a Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (“§ 2255 Motion”). See Doc. 573.<sup>1</sup> On November 1, 2017, District Court issued an Order denying Rivas-Granados’ motion and he was not entitled to the issuance of a certificate of appealability or to proceed in forma pauperis on appeal. See Doc. 617.

On October 18, 2018, Rivas-Granados filed a Motion for Relief from Judgment or Order or Lower Court (construed from motion denying and challenging the jurisdiction of the District Court over subject matter), which was denied on January 28, 2019. See Docs. 622, 643.

---

<sup>1</sup>

“Doc.” refers to the Docket Report in the United States District Court for the Southern District of Alabama, Mobile Division, in Criminal No. 1:11-cr-00152-CG-B-2, which is immediately followed by the Docket Entry Number.

On March 22, 2019, Rivas-Granados filed a Notice of Appeal re: the denial of his Motion for Relief from Judgment. See Doc. 649. On October 25, 2019, the United States Court of Appeals for the Eleventh Circuit denied Rivas-Granados' Motion for Relief from Judgment Appeal. See Doc 675.

On December 5, 2019, Rivas-Granados Rivas-Granados has filed a Motion for Reconsideration, pursuant to 11th Cir. R. 22-1(c) and 27-2, of the Eleventh Circuit's October 25, 2019, order denying a certificate of appealability and leave to proceed in forma pauperis in his appeal from the denial of his Fed. R. Civ. P. 60(b) Motion to Reopen his 28 U.S.C. § 2255 proceedings. Upon review, Rivas-Granados' Motion for Reconsideration was denied because he has offered no new evidence or arguments of merit to warrant relief.

### **III. REQUEST**

With regard to this request for extension, Rivas-Granados states that:

1. Rivas-Granados is filing *pro se*;
2. Additional time is necessary to prepare a Writ of Certiorari;
3. There will be no prejudice to Appellee in granting this request for extension of time to file Writ of Certiorari; and
4. This motion is made in good faith, and not merely for purposes of delay.

Based on the above, Rivas-Granados respectfully requests a thirty (30) day extension to file a Writ of Certiorari.

WHEREFORE, Rivas-Granados prays that this motion be, in all things granted and that the Court grant a 30-day extension of time to file his Writ of Certiorari.

Respectfully submitted,

Dated: March 13, 2020.

HUBERT RIVAS GR.  
HUBERT RIVAS-GRANADOS  
REG. NO. 33951-379  
CI NORTH LAKE  
CORRECTIONAL INSTITUTION  
1805 WEST 32ND STREET  
BALDWIN, MI 49304  
Appearing *Pro Se*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 13, 2020, a true and correct copy of the above and foregoing Appellant's Motion for Extension of Time to File Petition for Writ of Certiorari to the United States Supreme Court was mailed via U. S. Mail, postage prepaid, to Scott Alan Gray, at U. S. Attorney's Office, 63 S. Royal Street, Suite 600, Mobile, AL 36602.

HUBERT RIVAS GR.  
HUBERT RIVAS-GRANADOS