

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

BYRON KYLE GAY— PETITIONER

vs.

SCOTT DAFFENBACH, Warden, Fremont Correctional Facility:

THE ATTORNEY GENERAL OF THE STATE OF COLORADO —

RESPONDENT(S)

United States Court of Appeals for the Tenth Circuit was the last court to rule on the merits of my case. No. 18-1435; (D.C. No. 1:18-CV-00188-RBJ) (D. Colo.)

MOTION FOR EXTENSION OF TIME

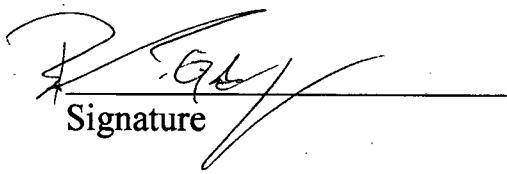
Comes now the Appellant, Byron Gay, Pro Se, requesting this Honorable Court to allow an extension of time to file for his Writ of Certiorari. And as grounds the appellant presents the following for the courts consideration:

1. On July 15, 2019, the United States Court of Appeals issued its Order Denying a Certificate of Appealability.
2. The facility in-which the Appellant is currently being housed in only allows for access to the Law Library approximately 1 hour and 40 minutes per day 5 times a week. This does not include any type of facility disruptions that would cause the access to be denied.
3. The facility has just returned back to normal after a week-long facility outbreak of an infectious disease (scabies) where the entire population was on lock down. Lock down constitutes no movement or programs within the facility.
4. In order to accurately file my Petition and present the complex issues to the High Court, I will need additional time to fully litigate these matters.
5. The Appellant is currently scheduled to appear in the Denver District Court for an Evidentiary Hearing on a separate case October 29, 2019. That is expected to last approximately 7 days.
6. The time for filing my Petition would be 60 days from the date the Tenth Circuit denied the request which is September 13, 2019. Due to the

complexity of the issues surrounding (DNA), and my pending hearing in district court, I respectfully request an additional 90 days to file my petition. This request is not meant to circumvent or harass the court in any manner nor will any party be affected.

Wherefore, the Appellant respectfully request an extension for the filing of his Petition up and until January 3, 2020.

Respectfully submitted this 29th day of July, 2019.


Signature