

Sharu Bey
21218-058
FPC Butner
P.O. Box 1000
Butner, NC 27509

August 14, 2019

Clerk of Court
U.S. Supreme Court
1 First St. NE
Washington, D.C. 20543

Re: Bey v. Warden
Time Extension/Certiorari

Dear Clerk:

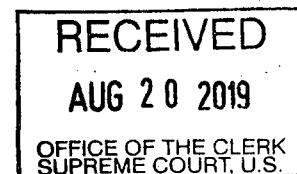
Enclosed for filing is Petitioner's Motion To Extend Time For Filing Certiorari and Certificate of Service with Attached En Banc denial. Thank you for your assistance.

Sincerely,

Sharu Bey

Sharu Bey

enc: Motion
Cert. of Svc.
Attachment



IN THE
UNITED STATES SUPREME COURT

SHARU BEY,

Petitioner,

v.

WARDEN, FCI BUTNER,

Respondent.

ON WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

RELIEF SOUGHT

Petitioner Sharu Bey, pro se, requests that Justice Roberts, Justice for the Fourth Circuit, extend the time for filing a petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit in the matter of Sharu Bey v. Warden, FCI Butner, Appeal No. 18-7483 for a period of 60 days, or from September 16, 2019 up to and including November 15, 2019.

GROUND FOR RELIEF

1. On March 11, 2008 petitioner was convicted at trial of conspiracy to possess with intent to distribute at least 100 kg of marijuana, possession with intent to distribute at least 100 kg of marijuana, and aiding or abetting same, and unlawful possession of a firearm by a convicted felon in the United States District Court for the Western District of North Carolina at Charlotte.

2. On March 4, 2011 the Fourth Circuit denied the direct appeal; on November 30, 2011 the § 2255 was denied.

3. On November 30, 2018 petitioner's § 2241 was denied in the United States District Court for the Eastern District of North Carolina at Raleigh; the Fourth Circuit affirmed and denied rehearing en banc on June 18, 2019 (Attachment "A").

JURISDICTION

4. The Supreme Court will have jurisdiction over this matter according to 28 U.S.C. § 1254(1).

REASONS WHY RELIEF FROM TIME LIMIT NEEDED

5. Under Supreme Court Rule 13.1, time for filing of a petition for writ of certiorari in this matter expires on September 16, 2019.

6. Petitioner is untrained in the law and proceeding pro se.

7. Petitioner, currently incarcerated, is severely limited to access times to the law library for research, preparation, and briefing. Library schedules are subject to weather conditions, staffing, and special events.

8. Population of Butner Camp is approximately 300 residents. Only 4 computers, 3 typewriters, and 1 copy machine are provided for the entire population.

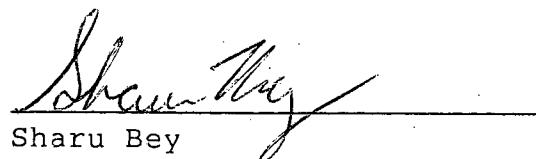
PERSUASIVE GROUNDS FOR CERTIORARI IN THIS CASE

9. The conviction of petitioner raised grave Constitutional questions concerning the Fifth, Sixth, and Fourteenth Amendments to the Constitution of the United States. In particular, at what point do newly recognized substantive elements¹ functionally outweigh finality interests such that a constitutionally impermissible sentence favors retroactive application?

10. Petitioner is presently serving a 324 month sentence.

Dated: August 14, 2019.

Respectfully submitted,



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¹ Alleyne v. U.S., 133 S.Ct. 2151 (2013)

APPENDIX A