

CLARIFICATION OF FACTS  
TO THE OCTOBER 29, 2019 LETTER  
SENT FROM THE SUPREME COURT OF THE UNITED STATES  
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WASHINGTON, DC 20543-0001

Supreme Court, U.S.

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OCT 21 2019

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Scott S. Harris

RE: Hodges v. Wiegand  
USADC No. 16-5164

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SUPREME COURT, U.S.

Dear Mr. Harris:

Petitioner Hodges would like to make known the facts that this case was (1) reopened and heard before a panel of three judges, as requested by petitioner Hodges on his motion to recall mandate dated (4/3/2018) and (4/9/2018). See docket entries 1725385 and 1726077. (2) On 5/22/2018 per curiam order (1732145) denying motion to recall mandate (1725385-2) before Judges Millett, Pillard and Sentelle, was entered. See docket. (3) Since the 5/22/2018 denial, petitioner Hodges has continued to build the record in this ~~extra~~ extraordinary case, filing three notices, one motion and a supplement to ~~the~~ that motion, in which all were accepted, and filed by the Clerk for the D.C. Appeals Court. (See Cir. R. 41.2 Motion to Recall Mandate) Also see Docket. With the last denial on this case being August 9, 2019 on motion filed on 6/17/2019 and supplement on 7/8/2019. See Docket..

Regarding Application for Extension of Time to File Petition for Writ of Certiorari.

Since the denial on August 9, 2019 before Millet, and Pillard, circuit judges, Sentelle, senior circuit judge, Petitioner Hodges has endured several institutional lockdowns by no fault of his own, which has caused a delay in preparation of writ of certiorari to the United States Supreme Court and to add further delay, Petitioner Hodges has recently been transferred from U.S.P. Florence, CO. to F.C.I. Victorville, CA. and has just recently received his property which includes legal work.

It is the role of courts to provide relief to claimants, in individual or class actions, who have suffered, or will imminently suffer, actual harm; it is not the role of courts, but that of the political branches, to shape the institutions of government in such fashion as to comply with the laws and the Constitution...It is for the courts to remedy past or imminent official interference with individual inmates' presentation of claims to the courts; it is for the political branches of the State and Federal Governments to manage prisons in such fashion that official interference with the presentation of claims will not occur.

Lewis v. Casey, 518 U.S. 343, 349. (1996).

7a, 7b. Pursuant to the doctrine of standing, not everyone who can point to some concrete act and is adverse can call in the federal courts to examine the propriety of executive action, but only someone who has been actually injured; for such purposes, depriving a person of an arguable, though not yet established, claim inflicts actual injury because the person is deprived of something of value in that arguable claims are settled, bought and sold, but depriving a person of a frivolous claim deprives that person of nothing except perhaps the punishment of sanctions under Rule 11 of the Federal Rules of Civil Procedure. (Souter, Ginsburg, and Breyer, JJ., dissented from this holding.)

**LED2D Digest - Parties § 3 - standing - actual injury - deprivation of claims** cited in Lewis v. Casey, 518 US 343 (1996)

In closing, and with all respect due to the Clerk, Scott S. Harris, Petitioner Hodges requests that the Clerk rectify Petitioner's recent application for enlargement of time, by granting a 30-day extension, by this Court's legal authority in the face of supporting documentation. (See enclosed documentation of (1) the Docket sheet, (2) Copy of 5/22/2018 Denial from Appellate Court, (3) Copy of 8/9/2019 Denial from Appellate Court. Thank you in advance. **May God speed.**

Sincerely,

*Michael Lee Hodges 11-8-2019*  
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