

**In The Supreme Court  
Of The United States of America**

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Jonathan Crupi,

Petitioner- Pro Se

**RULE 13(5)  
APPLICATION  
FOR AN  
EXTENSION OF  
TIME TO FILE A  
WRIT OF  
CERTIORARI**

V.

**THE PEOPLE OF THE STATE OF NEW YORK**

Respondent.

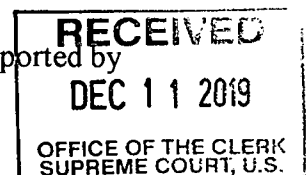
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To Circuit Justice for the Second Circuit

The petitioner, Jonathan Crupi, humbly requests that the time for petitioning be extended to and including February 19, 2020.

This application is submitted more than 10 days prior to the scheduled filing date for the petition. The pertinent dates are:

5/8/19 The date that the Ppellate Division, Second Department, issued its order holding, amongst other things that: (a) The search warrants concerning the search of computers, laptops, computer tablets, and cellular phones were supported by



probable cause and were not overbroad, (b) The verdict of guilt was not against the weight of the evidence, (c) The cross-examination of the police witness regarding the federal lawsuits was properly denied, and (d) The probative value of the evidence outweighed any potential prejudice to the defendant (see Exhibit B).

7/1/19      The date that my Appellate Counsel filed her Discretionary Leave Application with the Appellate Division, Second Department (see Exhibit C).

9/19/19    The date a Judge of the Court of Appeals (P.Feinman, J) denied leave to appeal to the Court of Appeals (see Exhibit A).

12/19/19   The date of expiration of time for filing petition for a Writ of Certiorari in this Court, unless extended.

2/19/20    The date of expiration of the requested 60-day extension of time for filing a petition in this Court.

Based on Rule 13(1), a petition for a writ of certiorari seeking review of a judgement of a lower state court that is subject to discretionary review by the state court of last resort is timely when it is filed with this Court within 90 days after entry of the order denying discretionary review (see Rule 13).

Here, as indicated above, the Honorable Judge Feinman denied my Appellate Counsel's Application for Leave on 9/19/19 (see Exhibit A). This means that I have until December 19, 2019 to file my petition for a Writ of Certiorari. However, due to circumstances beyond my control, I cannot meet the December 19, 2019 deadline to file my petition for Certiorari, and there would like to humbly request a 60-day extension of time to file my petition, which would make my new deadline February 19, 2020.

### **GOOD CAUSE FOR ALLOWING THE EXTENSION OF TIME**

There are 4 reasons that establish "good cause" for the granting of my request for a 60-day extension of time to file my petition for Certiorari.

First, I am a novice when it comes to matters of the law, and I have to rely on Clinton Correctional Facility's Legal Assistance program to help me put this application together. Because the inmate law clerks are presently overwhelmed with other assignments, I have to wait until my assigned inmate clerk—who was recently assigned about a month or so ago—reads my extensive transcripts, my briefs, and the documents associated with my case. This is only way that he can assist me with the complicated subjects contained in my direct appeal.

Second, Clinton Correctional Facility has undergone some serious security upgrades since the escape of Richard Matt and David Sweat, chief amongst which is a strict rule stating that inmates may only attend the law library during their non-program hours (see Exhibit D). When you couple this with the fact that the Clinton Correctional Facility's Law Library has only 25 available spots for each program module, but there are

at least 35-40 inmates vying for these spots, and inmate generally attends Law Library sessions one or two times per week. Each session is about two hours long, and in that time we must research, write, and type our submissions.

Third, there have been several facility-wide lockdowns in the past few months, during which inmates are not given access to the Law Library. This effects scheduling, pushing requests back for several weeks at a time, as those inmates with deadlines are given priority access. As mentioned earlier, I was not assigned an inmate clerk until very recently, and I was unable to attend the Law Library for services until 11/11/19 (see Exhibit E). Upon being informed that a deadline was on the horizon, I decided to request this extension.

Finally, the issues concerning the scope of the search of a computer, the legality of the probable cause determination, the probative value of the evidence outweighing any potential prejudice, and the limitations placed on the cross-examination of a police witness concerning prior alleged behavior are of nationwide importance, and need to be addressed to prevent other courts from utilizing the text of the Appellate Division's decision to circumvent other defendants' constitutional right.

Based on the foregoing, I am humbly requesting that I be granted until February 19<sup>th</sup>, 2020 to file my Writ of Certiorari, and for any other and further relief as to this Court may deem just and proper.

*Statement Pursuant to 28 U.S.C § 1746, I Declare, under the Penalty of Perjury under the laws of the United States of America, that the foregoing is True and Correct.*

Signed this 3<sup>rd</sup> Day of December, 2019

Respectfully Submitted,

  
Jonathan Crupi

Sworn to me before this

\_\_\_\_ Day of December, 2019

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*No Notary Available*

NOTARY PUBLIC