

IN THE UNITED STATES SUPREME COURT

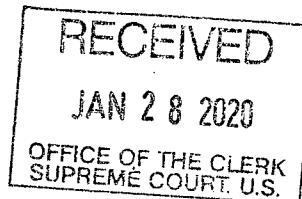
BAWER AKSAL,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.



Case No.: _____

MOTION TO EXTEND TIME TO FILE
PETITION FOR A WRIT OF CERTIORARI

COMES NOW, Petitioner, Bawer Aksal ("Aksal"), acting pro-se, and pursuant to Rule 30(2) and (3), moves the Court to extend time to file his Petition for a Writ of Certiorari from the dispositive judgment of the Third Circuit Court of Appeals entered on December 9, 2019, denying his application for a Certificate of Appealability ("COA"). In support, the following is respectfully submitted.

1. On December 9, 2019, the Third Circuit Court of Appeals entered its Order denying Aksal's COA application from the district court's judgment, wherein it classified his motion for audio recordings as "an 28 U.S.C. § 2255 motion." see Ex. A.

2. That order was sent to Aksal's address of record, Allenwood FCI Low, located in White Deer, Pennsylvania; however, prison mailroom staff forwarded the parcel to him at his current place of confinement, the Federal Medical Center at Butner, North Carolina ("FMC Butner"), pursuant to 28 CFR § 540.25(e).

3. Aksal had been transferred to FMC Butner after being diagnosed with prostate cancer with a Gleason Score severe enough to require radiation and hormone treatments along with other pretests to determine whether his cancer had invaded nearby organs and tissues (e.g. the bladder or rectum).

4. Aksal is scheduled to undergo forty-two (42) radiation treatments to areas of his prostate identified with cancer by the biopsy when hormone treatment is completed.

5. Pursuant to Supreme Court Rule 12, Aksal has 90 days from the date of the

December 9, 2019, Third Circuit Order to file for a writ of certiorari; that time period ends on March 9, 2020.

6. Supreme Court Rule 30(2) empowers a Justice of the Court to extend time for Aksal to file his petition for a writ of certiorari when such action is taken "at least 10 days before the specified final filing date ..." Id.; see also para. 3.

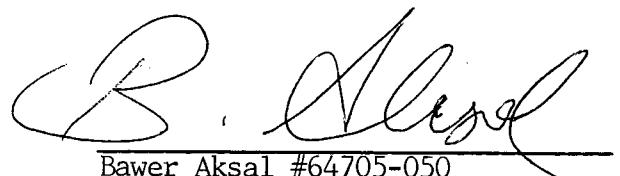
7. Because Aksal's cancer treatments will extend beyond the March 9, 2020, filing deadline, and he will be incapacitated and without any of his legal materials until cancer treatments are hopefully favorably completed, and he is returned to his designated facility, where he can access his legal material, he request an extension of 120 days, up to and including July 9, 2020.

8. Accordingly, given the extraordinary circumstances in this matter, Aksal submits that good cause exists to extend time to file his petition for a writ of certiorari for 120 days.

CONCLUSION

WHEREFORE, for the reasons above, Petitioner respectfully requests the Court extend time to file his Petition for a Writ of Certiorari 120 days -- up to and including July 9, 2020.

Dated: January 14, 2020



Bawer Aksal #64705-050
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