

---

IN THE SUPREME COURT OF THE UNITED STATES

---

MARK A. BAINE, )

Petitioner-Appellant. )

vs. )

Case No. \_\_\_\_\_

BILLY MITCHUM, )

TO BE SUPPLIED

Respondent- Appellee. )

---

APPLICATION FOR AN EXTENSION OF TIME  
PURSUANT TO RULE 13.5; 22; and 30.5, RULES OF THE  
SUPREME COURT OF THE UNITED STATES

---

Mark A. Baine, #247581, I-2A  
Limestone Correctional Facility  
28779 Nick Davis Road  
Harvest, Alabama 35749

---

Pursuant to Rule 22 I address this application  
to Justice Sonya Sotomayor.

---

CERTIFICATE OF INTERESTED PERSONS

1. Baine, Mark Anthony-Appellant/Petitioner.
2. Brandyburg, James Darnel-Trial Counsel.
3. Furman, John Patrick-Mobile County Assistant Districk Attorney.
4. Heinz, Theresa-Mobile County Assistant Districk Attorney during trial.
5. King, Troy-Former Alabama Attorney General.
6. Marshall, Steve T.-Current Alabama Attorney General.
7. Willis, Jack W.-Assistant Alabama Attorney General.
8. Thomas, Herman Young-Former-Former Mobile County Circuit Judge, Trial Judge.
9. Tyson, John M.-Former Mobile County District Attorney.
10. Nelson, Katherine P.- Magistrate Judge for The United States District Court for the Southern District of Alabama.
11. Granada, Callie V.S.-District Judge for The United States Dis-  
~~XX~~ trict Court for the Southern District of Alabama.
12. Justices Marcus, Rosenbaum, and Black- Circuit Judges for The United States Court of Appeals for the Eleventh Circuit.

REASONS AN EXTENSION OF TIME IS NECESSARY

Comes now the appellant, Mark A. Baine, pro se, and sincerely moves this most Honorable Court hear and grant~~x~~ the relief requested in this application for an extension of time. In support of this request I offer the following;

I presented the original motion, Rule 60(b) Fed.R.Civ.P. to the United States District Court for the Southern District of Alabama, Case No. 1:10-cv-00334-Cg-N on October 10, 2016 which was filed in the court on October 17, 2016.

I have tenaciously pursued a quest to obtain my liberty that has been taken pursuant to illegal, unconstitutional methods and have meticulously maintained the record throughout the appeal and post-conviction proceedings. These records and all research notes were seized and destroyed by the administration here at Limestone Correctional Facility. This occurred upon my arrival at this institution on Feb. 19, 2019. I was transferred to this facility from North Alabama Community Work Center pursuant to an alleged violation of Admin. Rule #928-Use of/Under the Influence of Alcohol, Narcotics, or other Intoxicants, which occurred on Feb. 6, 2019. I tested positive for amphetamine. Dr. Barfield, my therapist informed the administration that my medication could show a false positive, Rantidine/Zantac. In spite of this fact I was removed from North Alabama Community Work Center, a Level II, minimum out custody that I have exercised for 2 1/2 years. I feel this action was deliberate.

During my original §2254 habeas corpus petition, when I had the ability to finally present my facts relating to the conviction and "Life" sentence imposed by the state of Alabama, to a court outside of Alabama, I was effectively shut down and lost my oppor-

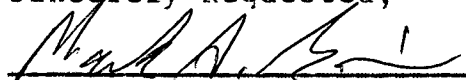
tunity to petition this court for rehearing. This is what occurred, My petition to this court was denied on Oct.13,2015. On Oct.22,2015, my birthday no less, the very same officer who seized and destroyed all my legal documents on Feb.19, 2019, claimed that I had received a package with 2 suspicious looking books. The very next day, Oct. 23, 2015, I was placed in admistrative lock-up "under investigation! I remained there for 45 days completely seperated from my legal documents and no access to the law library. Case No. 15-5888. Your Honor, the only way anyone can receive books is if they are sent from a publisher. I lost all assistance and communication from anyone in 2012. No one has ever asked me if I received the books they ordered for me. After the 45 days I was released with no disciplinary action. ~~XXXX~~ Now this has occurred and this same official has seized and destroyed every record provided by the Alabama Attorney General for purposes of §2254 and the present Rule 60(b) motion. For this reason I desperately need additional time to attempt to acquire the record of of the post-conviction proceedings and my direct appeal and trial proceedings and relating transcripts. These records were burned by Lt.S. Bright and CO1 J. Clem here at Limestone Correctional Facility on Feb. 20, 2019 in a burn barrel~~XXXX~~ he uses to destroy property he has seized from incoming prisoners. Your Honor, the state of Alabama Attorney General provided these records to me here at Limestone in 2010 and at North Alabama in 2016. Who is a Lt. and CO1 at Limestone to say I can't have the records provided by the Alabama Attorney General?

\*RELIEF REQUESTED\*

Your Honor I sincerely pray you will grant this extension of time I desperately need and if any way possible, could you order the Re-

spondent/Alabama Attorney General provide me the record once again due to the fact that representatives working for the Alabama Department of Corrections destroyed all the record on FEB. 20, 2019. Any consideration you can give in this matter will be deeply appreciated. Every time I have my case out of the courts in Alabama I am shut down no fault of my own.

Sincerely Requested,



Mark A. Baine, #247581

STATE OF ALABAMA

LIMESTONE COUNTY

I Mark A. Baine do hereby swear and attest under the penalty of perjury that the forgoing pleading is fact, provable, and an accurate account of the events and facts in this case.



Mark A. Baine, #247581

SWORN AND SUBSCRIBED BEFORE ME this 19 day of JUNE, 2019.

NOTARY PUBLIC: 

MY COMMISSION EXPIRES: 4/4/20

(SEAL)

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 19<sup>TH</sup> day of JUNE, 2019, served a true copy of the forgoing to the Alabama Attorney General and the Clerk of the Court for the Supreme Court of the United States, via placing in the hand of Official U.S. Postal Service Administration, First Class Postage Paid, at Limestone Correctional Facility.



Mark A. Baine, #247581