

No. : _____

Supreme Court, U.S.
FILED

FEB 10 2020

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IN THE
SUPREME COURT OF THE UNITED STATES

NEXIS RENE GOMEZ, PLAINTIFF - PETITIONER

VS.

D. BRAUN and N. MAJUMDAR, DEFENDANTS - RESPONDENTS

MOTION REQUESTING EXTENSION OF TIME TO FILE
A PETITION FOR WRIT OF CERTIORARI

Nexis Rene Gomez
Prisoner ID AF-7364
Soledad State Prison, CTF
PO Box 705
Soledad, California 93960-0705
In Pro-Per

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SUPREME COURT, U.S.

TO THE HONORABLE JUSTICE E. KAGAN,

Plaintiff - Petitioner, NEXIS GOMEZ, is respectfully requesting a 60 days extension of time to, and including Thursday May 7, 2020 within which to file a petition for a writ of certiorari in this case.

In support of his request, Plaintiff - Petitioner submits the attached declaration.

Dated: February 9, 2020

Respectfully submitted,



Nexis Rene Gomez
Prisoner ID AF-7364
In Pro-Per

No.: _____

IN THE
SUPREME COURT OF THE UNITED STATES

NEXIS RENE GOMEZ, PLAINTIFF - PETITIONER

VS.

D. BRAUN and N. MAJUMDAR, DEFENDANTS - RESPONDENTS

DECLARATION OF NEXIS RENE GOMEZ IN SUPPORT
OF MOTION REQUESTING EXTENSION OF TIME
TO FILE A PETITION FOR WRIT OF CERTIORARI

Nexis Rene Gomez
Prisoner ID AF-7364
Soledad State Prison, CTF
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DECLARATION OF NEXIS RENE GOMEZ

I, NEXIS RENE GOMEZ, declare:

1. I am incarcerated at the Correctional Training Facility in Soledad, California, (Prisoner ID AF-7364).
2. On February 25, 2016 I, (the Plaintiff-Petitioner) filed in the United States District court for the Easter District of California an Amended Prisoner Civil Rights Complaint seeking relief under 42 U.S.C § 1983 against the Defendants in this case Doctor D. Braun and Doctor N. Majumdar, (Gomez v. Braun et al, case No.: 2:15-cv-02523 MCE-KJN.)
3. On September 19, 2017, defendants filed a motion for summary judgment.
4. On July 19, 2018 the Magistrate Judge assigned to the case filed Findings and Recommendations, recommending that Defendant's motion for summary judgment be granted.
5. On September 10, 2018, Plaintiff filed timely objections to the Magistrate judge Findings and Recommendations.
6. On September 14, 2018 Plaintiff-Petitioner, filed in the district court a motion to amend for second time the complaint, the motion was denied as untimely on September 26, 2018.
7. On September 28, 2018 the district court adopted the Magistrate's judge Findings and Recommendations in full, and Defendant's motion for summary judgment was granted.
8. Plaintiff-Petitioner, timely appealed. On August 27, 2019, the United States Court of Appeal for the Ninth Circuit denied the appeal, Case No.: 18-16991.

9. Plaintiff-Petitioner, filed a timely petition for rehearing in banc, which was denied on December 3, 2019. (See Appendix A.)

10. A petition for a writ of certiorari is due in this Court on or about March 6, 2020 pursuant to Rule 13. However, petitioner believes that he would need additional 60 days extension of time to, and including Thursday May 7, 2020, to access the law library to conduct a full legal research about the complex issues involved in this case.

Petitioner contends that this Court should grant him a 60 days extension of time because he have very limited access to the law library since September 17, 2019 due he is currently assigned to work full time Monday to Friday from 8:30 to 12:00 hrs, and from 13:00 to 16:00 hrs. (See Appendix B.)

Moreover, it is the prison policy since September 2019, that no inmate can be taken out of their assigment for library use (See Appendix C at page 1), which means that petitioner have access to the law library's resources only on the weekends. However, even the weekends petitioner face another problem accessing the law library because the recent law library schedules has now been reduced to only one day in the weekend (See Appendix D), which makes difficult to petitioner to complete the petition for writ of certiorari on timely manner, for this reason a 60 days extension of time is necessary.

11. This request for extension of time is based on Good Cause as described hereto, and is not made for the purposes of harassment or to cause undue delay, or any other improper reason.

12. For the foregoing reasons, petitioner respectfully request this Court to grant him 60-days extension of time to, and including Thursday May 7, 2020, within which to file a petition for writ of certiorari for this Court's consideration of the matter.

I declare under penalty of perjury, as defined by the laws of the United States, that the foregoing is true and correct, and that this declaration was executed at the Correctional Training Facility in Soledad, California on this February 9, 2020.

Nexis Rene Gomez
(Declarant's Name)


(Signature)