

IN THE UNITED STATES SUPREME COURT

Supreme Court, U.S.
FILED

FEB 24 2020

BOBBY W. FERGUSON,

District Court
CASE NO. 10-20403

OFFICE OF THE CLERK

Defendant,

Appellant Court
CASE NO. 18-2194

v.

UNITED STATES OF AMERICA,

Plaintiff.

PRO-SE MOTION TO EXTEND
TIME TO FILE PETITION FOR
WRIT OF CERTIORARI
PURSUANT TO RULE 13

MOTION FOR EXTENSION OF TIME TO FILE WRIT OF CERTIORARI

COMES NOW Defendant, Bobby W. Ferguson acting in Pro-se, who hereby moves this Honorable Supreme Court of the United States to issue an extension of time allowing Mr. Ferguson to file a petition for a writ of Certiorari to review the judgment of his criminal case 60 days beyond the 90 day limitation period.

Bobby W. Ferguson, a pro se federal prisoner, appeals a district court judgment denying his 28 U.S.C. § 2255 motion to vacate, set aside, or correct his sentence. Ferguson filed an application for a certificate of appealability ("COA"). See Fed.R.App. P. 22(b). On July 19, 2019, the United States Court of Appeals for the Sixth Circuit denied his appeal.

On Dec, 09, 2019, the ENBANC WAS DENIED. Mr. Ferguson is also requesting for a PRO SE Form so he can submit his Motion.

Due to the complexities of the legal issues involved. Mr. Ferguson's lack of legal training and education, and that Ferguson has brought this action in propria persona and without the aid of an attorney. This Court can determine by that the Defendant has been diligent in all matters, even when taking into account the realities of prison life, and the many obstacles which the Defendant must overcome to bring this matter timely before this Court. See, e.g., Jones v.

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United States, 20 Fed. Appx. 520, 523 (7th Cir. 2001) ("court evaluating . . . [pro se complaints] must consider individual circumstances; which for imprisoned individuals include the conditions of confinement and the practical realities of the prison system); and, Easterwood v. Champion, 213 F.3d 1321, 1323 (10th Cir. 2000)(same). The right to be heard this Court would find that Mr. Ferguson suffered a fundamental miscarriage of justice. Because, even the intelligent and educated layman has small and sometimes no skill in the science of law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidences. This Court should not hold the Defendant to the "stringent standards" as an action which was "drafted by lawyers." See, Hainers v. Kerner, 404 U.S. 519, 520 (1972).

WHEREFORE, based on the forgoing, Mr. Ferguson respectfully requests this Honorable Court allow an extension of time allowing him to proceed with the Pro-se filing of a petition for writ of Certiorari in forma pauperis.

CERTIFICATE OF SERVICE

I, Bobby W. Ferguson do hereby certify, that on FEB 23, 2020, did place a true a true and correct copy of this instant "Motion" into the Institutional Mail, pouch, postage pre-paid to:

Michael Bullotta
Assistance U.S. Attorney
211 W. Fort Street/Suite 2001
Detroit, MI 48226

1) "The time to file a petition for a writ of certiorari runs from the date of entry [2004 U.S. LEXIS 18] of the judgment or order sought to be reviewed, and not from the issuance date of the mandate (or its equivalent under local practice).

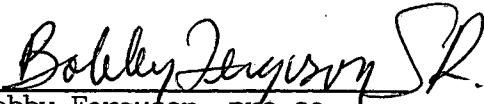
See Hibbs v. Kathleen No. 02-1809

June 14, 2004)

DECLARATION

I, Bobby Ferguson, does hereby declare, under the penalties of perjury
, pursuant to 28 U.S.C. § 1746, that the preceding factual assertions are true
and correct to the best of his personal knowledge and belief.

Date: FEB 23, 2020.

/s/ 
Bobby Ferguson, pro se
Fed. Reg. No. 4 4950-039
FCI Elkton
P.O. Box 10
Lisbon, OHIO 44432