

IN THE UNITED STATES SUPREME COURT

Supreme Court, U.S.  
FILED

FEB 24 2020

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BOBBY W. FERGUSON,

District Court  
CASE NO. 10-20403

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 requestiion 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 Institu-  
tional 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 SR.  
Bobby Ferguson, pro se  
Fed. Reg. No. 4 4950-039  
FCI Elkton  
P.O. Box 10  
Lisbon, OHIO 44432