

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

---

Antonio Raheem Matthews	)	MOTION TO FILE
Petitioner,	)	OUT OF TIME PETITION
VS,	)	
James Sayler, Warden	)	Case No... 1:19-cv-259
Respondent	)	

---

Comes now petitioner, Antonio Matthews pro se, Pursuant to U.S. Supreme court Rule 30

Computation and Extension of time to file an out of time petition for the following reasons:

1. On June 11, 2019. The courts dismissed Matthews' 2254 petition and ordered Matthews to file complete financial documents to go along with the motion to reconsider that was filed on June 3, 2019, and was also ordered to file motion to reopen.
2. On July 11, 2019, The motion to reconsider and the motion to reopen was dismissed with no explanation.
3. Matthews was told by the law librarian at the North Dakota State Penitentiary he had Ninety (90) days after the motion to reopen was dismissed, which was on July 11, 2019 and the deadline would have been October 8<sup>th</sup>, 2019.

Wherefore, petitioner prays this court grants this motion and allows him to file in out of time petition for Writ of Certiorari. Matthews was under the firm belief that he had Ninety days after the timely filed motion to reconsider was dismissed on July 11,2019.

Respectfully submitted this 6<sup>th</sup> day of March, 2020

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

---

No: 19-1897

---

Antonio Raheem Matthews

Petitioner - Appellant

v.

Colby Braun

Respondent - Appellee

---

Appeal from U.S. District Court for the District of North Dakota - Bismarck  
(1:18-cv-00175-CRH)

---

**JUDGMENT**

Appellant has not responded to the court's order entered 05/22/2019. It is hereby ordered that this appeal is dismissed for failure to prosecute. See Eighth Circuit Rule 3C.

Mandate shall issue forthwith.

June 10, 2019

Order Entered Under Rule 27A(a):  
Clerk, U.S. Court of Appeals, Eighth Circuit.

---

/s/ Michael E. Gans

**Additional material  
from this filing is  
available in the  
Clerk's Office.**