

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

Russell Vickery, Agent, Attorney-in-Fact, for.

RUSSELL VICKERY, Petitioner.

V.S.

Hall, THE STATE, Respondents

PETITIONER'S MOTION FOR LEAVE TO
FILE OUT OF TIME

Comes now, Petitioner, under the above styled
Cause of action and motion this court for leave to
file an out of time writ of Certiorari and shows
the following cause in support:

On 11-22-2019, The Court of Appeals filed
an order denying Petitioner's appeal. The Court
did not notify petitioner of this judgment
until 2-28-2020, (see exh 3 of attached Application
for extension), 96 days after judgment, outside
the time allowed for filing.

Petitioner is currently incarcerated at Jefferson County C.I., A work camp, and works at the G.D.O.T. Monday through Friday, cannot contact the court or appeals to inquire about judgment and due to working hours has very little law library access and little time to prepare his writ of Certiorari.

Petitioner is only asking for leave to file out of time to allow sufficient time from the date of notice of judgment to file his writ of Certiorari and the attached Application for extension of whichever is proper to allow filing.

I, Russell V. Key, hereby under the Penalties of perjury, under the laws of the United States of America, in the nature of 28 U.S.C. § 1746 (1), declare that the facts

Set forth in this Motion are true and
correct to the best of my direct knowledge,
understanding and belief.

This 4th day of June 2020

PREPARED BY
Russell Vickery, Agent
Attorney-In-Fact
WITHOUT PREJUDICE

S/ Russell Vickery, Agent

Respectfully Submitted,
RUSSELL VICKERY
#1001592280 A-DORM
Jefferson County C.I.
1158 Clarke Mill Rd.
Louisville Ga, 30434

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-12411-F

RUSSELL VICKERY,

Petitioner-Appellant,

versus

HILTON HALL,
COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS,

Respondents-Appellees.

Appeal from the United States District Court
for the Middle District of Georgia

ORDER:

To merit a certificate of appealability, appellant must show that reasonable jurists would find debatable both (1) the merits of an underlying claim, and (2) the procedural issues that he seeks to raise. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 478 (2000). Appellant's motion for a certificate of appealability is DENIED because he failed to make the requisite showing, and his motion for production of the record is DENIED AS MOOT.

/s/ Gerald B. Tjoflat
UNITED STATES CIRCUIT JUDGE

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