

IN THE
SUPREME COURT OF THE UNITED STATES

ADAM LEE WARE,
Petitioner,

-vs-

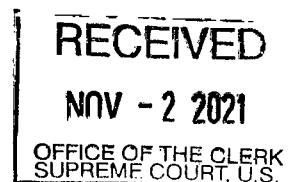
UNITED STATES OF AMERICA,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SEVENTH CIRCUIT COURT OF APPEALS
APPLICATION FOR EXTENSION OF TIME TO FILE
WRIT CERTIORARI

Adam Lee Ware, Pro Se
Federal Medical Center Rochester
PMB 4000
Rochester, Minnesota, 55903

RELIEF SOUGHT

COMES NOW, the petitioner, Adam Lee Ware, as pro se, moves this Court for an order granting an extension of time to file writ of certiorari, extending the time 60 days so that the time for filing of the writ of certiorari will expire on January 9, 2022.



GROUND FOR RELIEF

The grounds for relief are:

1. Peter W. Henderson, counsel who had represented Petitioner on direct appeal, informed him after his conviction was affirmed that he would not be taking his appeal to the Supreme Court of the United States.
2. The Petitioner acted promptly to move the United States Court of Appeals for the Seventh Circuit to order Attorney Henderson to file a writ of certiorari with the Supreme Court of the United States.
3. The Seventh Circuit denied Petitioner's motion.
4. The Petitioner did not know he was authorized to file his own Motions and Writs until informed of this by a jailhouse lawyer. After being apprised of this Petitioner discovered that the deadline for filing the Writ of Certiorari was fast approaching. Then he was transferred from the county jail to FMC Rochester.
5. The Transcripts of record and judgment of the district court, along with the Opinion and Judgment of the United States Court of Appeals for the Seventh Circuit, were mailed to Petitioner's family members, and then mailed to FMC Rochester. These records, prerequisite to the filing of a Petition for Writ of Certiorari were made available to Petitioner only on or about April, 2021.

6. Had Petitioner had more time to research and prepare the Writ of Certiorari he would have filed the writ on time.
7. Neither the Court, nor the parties will be prejudiced or unduly inconvenienced by the short extension of time requested.

PERSUASIVE GROUNDS FOR CERTIORARI IN THIS CASE

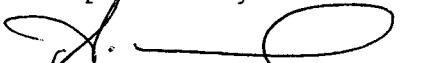
The arrest and conviction of Petitioner raises grave Constitutional questions concerning the Fourth Amendment to the Constitution of the United States. If the deterrent force of the exclusionary rule is supported by facts of this case, as demonstrated by the Seventh Circuit's prior criticism of Peoria Illinois Police Officer Matthew Lane's misconduct meant to instill in him, or his future counterparts a greater degree of care towards the rights of an accused but then the exclusionary rule is not brought to bear, there is nothing to deter police illegality.

CONCLUSION

Therefore, because of the above and foregoing reasons the Court should grant the requested extension of time to file Writ of Certiorari to the Supreme Court of the United States in this matter to January 9, 2022.

WHEREFORE, for the above and foregoing reasons the Court should grant the requested relief for reasons consistent with the above.

Respectfully submitted this 28 day of October, 2021.


Adam Lee Ware, Pro Se

AFFIDAVIT OF PETITONER

State of Minnesota

County of Olmstead

Adam Lee Ware states:

1. My name is Adam Lee Ware. I am over 18 years of age. I reside at FMC Rochester, PMB 4000, Rochester, Minnesota, 55903. I am fully competent to make this affidavit, and I have personal knowledge of the facts stated in this affidavit. To my knowledge, all of the facts stated in this affidavit are true and correct.
2. I am the defendant in the courts below, and the potential Petitioner in this matter. I make this affidavit in Support of the Motion for an Extension of Time to File a Petition for Writ of Certiorari.
3. After my conviction Peter W. Henderson, the Federal Public defender informed me if my appeal to the Seventh Circuit was unsuccessful he would not be taking my case to the Supreme Court of the United States.
4. I acted promptly in moving the Seventh Circuit to order Attorney Henderson to take the appeal to the Supreme Court of the United States. The Motion was denied.
4. I did not know I was authorized to file my own Motions and Writs until informed of this by jailhouse lawyers.

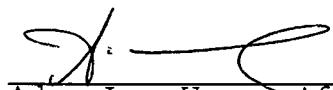
5. After I was apprised of the right to file my own Motions and Writs I discovered that the deadline for filing the Writ of Certiorari to the Supreme Court of the United States was fast approaching.

6. Then I was transferred from the county jail to FMC Rochester but my legal documents did not arrive there until about April, 2021.

7. I am presently serving my sentence.

8. Had I known that Attorney Henderson would not have filed the Writ of Certiorari or had I received my legal documents earlier the Writ of Certiorari to the Supreme Court of the United States would have been filed before the deadline.

Respectfully submitted this 28 day of OCTOBER, 2021.



Adam Lee Ware, Affiant