

No._____

**In The
Supreme Court of the United States**

ICE TEE HUDSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**MOTION TO FILE PETITION FOR
WRIT OF CERTIORARI OUT OF TIME**

Comes now the defendant, Ice Tee Hudson, by and through undersigned counsel and files this Motion to file his Petition for Writ of Certiorari out of time by stating the following:

1. The Fourth Circuit Court of Appeals released an unpublished decision in this matter on December 20, 2021. Counsel notified the Petitioner immediately of the Circuit Court's decision, but it took several seeks to obtain written direction from Petitioner to move forward with a Petition for Writ of Certiorari.
2. The Circuit Court issued the mandate on January 11, 2022. After receiving direction to proceed with the Petition, Counsel inadvertently calculated the due date for the Petition based on a starting date of the Mandate rather than the date of the unpublished decision and

calendared the Petition as due on April 11, 2022 rather than on March 20, 2022.

3. But for the aforementioned issue, Defendant's Petition would have been timely filed.
4. There is no prejudice to the government by the granting of this motion.
5. The protection of Defendant's constitutional rights hang in the balance of this Court's discretion on whether to grant this Motion.

WHEREFORE, for the above stated reasons, Ice Tee Hudson, respectfully requests approval from the Court to file his Petition for Writ of Certiorari out of the designated time frame.

RESPECTFULLY SUBMITTED
ICE TEE HUDSON

/s/ J. Edward Yeager, Jr.
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