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SUPREME COURT OF THE
UNITED STATES

Jose Diaz Perez
Petitioner,

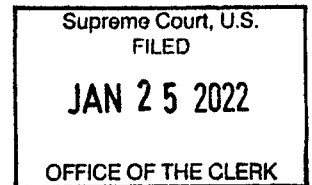
v.

Bobby Lumpkin, Director, TDCJ
Respondent.

USCA (5th Cir) No. 20-405876

USDC No. 6:18-CV-255

PETITIONER'S FIRST MOTION FOR EXTENSION OF TIME
TO FILE A WRIT OF CERTIORARI



TO THE HONORABLE JUSTICE'S OF THIS COURT:

COMES NOW, JOSE DIAZ PEREZ, Petitioner Prose, TDCJ#1951217. This is a Motion for Extension of Time to file a Writ of Certiorari. By Order of the Court, the Petitioner is required to file his Writ of Certiorari within 90 days of the date of the denial of Appellant's motion for certificate of appealability. Therefore, his Writ would be due in this Court on or before January 26, 2022.

Even though the undersigned received the notification on November 3, 2021, he is suffering from extraordinary circumstances. First, the english language is Perez' second language and his understanding is very little. Also, the Petitioner is limited to a mere two (2) hours, five (5) days a week, for a total of ten (10) hours weekly in the Institutional Law Library to investigate legal premises. It should be noted that Petitioner is further limited as any citations post 2008 must be inter-loaned through the TDCJ-ID LEXIS NEXIS system, of which he is limited to a mere three (3) citations daily for review.

Perez will also point out that he has written this Court three separate times requesting an indigent writ package and to date has not received even one. This does not began to touch on the institutional and/or dormitory facility lockdowns which preclude any form of direct Law Library access. Such is the case currently. Petitioner's housing area is currently on a medical lockdown/quarantine due to an outbreak of COVID. This is only one of many instances in the past two years.

This is the Petitioner's first request for an Extension of Time in this cause. This request is not designed to harass the Respondent, nor unnecessarily delay these proceedings, but to ensure that the Petitioner is fully able to address all of the issues properly. Furthermore, the Respondent is in no way prejudiced as the Petitioner is incarcerated and operating under severe limitations. Accordingly, the Petitioner respectfully requests an extension of time of Sixty (60) days up to and

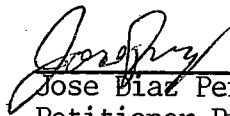
including Monday, March 28, 2022, to file his Writ of Certiorari.

Petitioner understands that Supreme Court Rules 13.5 and 30.2 require that a Motion for Extension of Time be filed with the Court at least ten (10) days before the specified filing date, except in extraordinary circumstances. Petitioner asserts he is experiencing such extraordinary circumstances as outlined above.

CONCLUSION

The Petitioner respectfully requests that his First Motion for Extension of Time to File a Writ of Certiorari be GRANTED.

Respectfully submitted,



Jose Diaz Perez
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