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FILED
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OFFICE OF THE CLERK
SUPREME COURT

ORIGINAL

Supreme Court of the United States

Sloan P. Stanley
Petitioner/Appellant

Case No.
9th Cir No. 21-35170

v.

Jeffery Uttecht, et al
Respondent/Appellee

Notice of Intent to File
Writ of Certiorari &
Request Time Extension

Petitioner/Appellant, Sloan Patrick Stanley, acting pro se, comes now before this honorable Court to give notice of his intent to file a writ of certiorari regarding the Ninth Circuit U.S. Court of Appeals Order, in case no. 21-35170, denying his appeal as frivolous, filed December 16, 2021; see Appendix.

Petitioner/Appellant also respectfully requests an extension of time in which to file the writ of certiorari for this case. He is currently seeking a 90 day extension from the current due date of March 16, 2022. The following will discuss the reasons why this motion should be granted.

I. Relevant Facts

On December 19, 2021 I submitted to this Court a Notice of Intent to File Writ of Certiorari & Request Time Extension, the same as here only on a different case than the current one, for review of a different Ninth Circuit Order. That case had to do with a habeas corpus, 28 U.S.C. § 2254, petition, whereas this case deals with a 42 U.S.C. § 1983, civil rights action. However, both cases name "Jeffery Uttecht" (prison superintendent) as the Respondent. The only difference is the instant matter names another individual (Cassidy Blount, prison dentist) so as it becomes "Jeffery Uttecht, et al." Hopefully there will not be any confusion between the two.

I was granted the motion for an extension in the previous case on December 29, 2021 by Justice Kagan, extending the due date to March 19, 2022; see Application No. 21A288. This previous motion detailed facts of why I needed the extension of time. These facts and reasons still pertain to the instant matter and I respectfully ask that the Court please review this previous request for a time extension and give it equal consideration to the instant case.

Fortunately, I was able to submit the writ of certiorari in the other case early. The Court should

have received it by now as I mailed it out on
February 14, 2022.

Aside from the limitations I am under due to
being in jail, or more so this jail in particular, as is
detailed in the previous request for an time extension
for the other case, recently submitted to this court,

there are a few other reasons I ask for this current
extension. When I received the Order from the
Ninth Circuit that my appeal was frivolous, I immediately

filed a motion for an extension of time to file a motion
for reconsideration, mailing it to the court on

December 26, 2021. I then diligently worked on the
motion for reconsideration and mailed it to the court

on January 10, 2022, as early as I could and before
I had heard back about the motion for an extension,
expecting it would be granted, as I had shown good

cause.

On January 11, the next day, I received from
the Clerk of the Ninth Circuit a letter showing that
my motion for an extension of time was filed but would
not be heard. This was due to the fact that the
Order denying my appeal as frivolous stated "into further

filings will be entertained in this closed case," see

Appendix. I did not think this pertained to a motion

for reconsideration, however. That same day I sent a

letter to the Clerk asking why it was not going to be heard, as there own Circuit Rule 27-10 - Motion for Reconsideration - allows for further consideration of an order that terminates a case. The court order was clearly in violation of this rule that gives me authority to file a motion for reconsideration. This effectively denies me due process of the law.

After not receiving any reply back from the clerk I sent a second letter on February 6, 2022 asking the clerk if they had received my motion for reconsideration and if the court was going to hear it. I have yet to hear anything back. I am planning on sending another letter and possibly writing the Chief Justice of the Ninth Circuit to try to come to some conclusion to whether I have a right to file a motion for reconsideration or not. I will of course need extra time in which to try to sort this issue out.

However, in the meantime, I do not want to foreclose on my ability to file a writ of certiorari with this Court if my motion for reconsideration is never heard by the Ninth Circuit, thus, making my due date for a writ of certiorari effectively March 16, 2022. Which is closely approaching and I will certainly miss. Therefore, for all the reasons mentioned I would respectfully request a 90 day extension from the current due date of

March 16, 2022 to establish a new due date of June 14, 2022. Thank you.

II. Conclusion

I respectfully request that this Court please take notice of my intent to file a writ of certiorari in the instant matter. Also, for the reasons given in this motion to include the reasons from the prior motion for an extension that was recently granted in the other case, as mentioned above, I respectfully request that the current motion requesting a 90 day extension of time be granted. Thank you.

Dated this 27 day of February, 2022.

Respectfully submitted,

Sloan P. Stanley

Sloan P. Stanley, pro se

inmate # 305024

Marion County Jail

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