

No 21A352

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

EDWIN D. CALLIGAN - PETITIONER,

FILED
JAN 12 2022
OFFICE OF THE CLERK SUPREME COURT, U.S.

VS.

UNITED STATES OF AMERICA - RESPONDENT,

APPLICATION FOR EXTENSION OF TIME TO FILE
A PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

To the Honorable Justice Amy Coney Barrett, Associate Justice
of the Supreme Court and Circuit Justice for the United States Court
of Appeals for the Seventh Circuit:

Pursuant to Supreme Court Rules 13.5, 22 and 30, Petitioner,
Edwin D. Calligan, respectfully requests a 30-day extension of time,
up to and including Wednesday, March 9, 2022, to file a Petition for
a Writ of Certiorari to the United States Court of Appeals for the
Seventh Circuit. Petitioner seeks review of judgment and opinion of
that Court, which issued on August 6, 2021. A petition for
rehearing was timely filed and denied on November 9, 2021.
The Court has jurisdiction under 28 U.S.C. § 1254 (1). Without

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extension, the time to file a Petition for Writ of Certiorari will expire on February 7, 2022. This application is timely because it is being filed more than 10 days before the petition is due.

Good cause justifies the requested extension. Important questions were determined adversely by the United States Court of Appeals for the Seventh Circuit, including:

1. Whether the United States Court of Appeals for the Seventh Circuit's ruling, "...[t]he warrant was not anticipatory because no language in the warrant or affidavit conditions probable cause upon that anticipated delivery..." is in direct conflict and overruled this Court's decision in United States v. Grubbs, 547 U.S. 90 (2006), which holds that the language expressing a condition precedent need not be contained in the warrant in order to be a valid anticipatory search warrant? and;

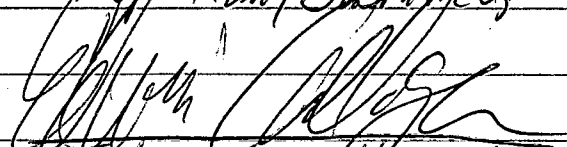
2. Whether the Fourth Amendment requires officers to return to the warrant-issuing magistrate to determine probable cause anew if an officer alters the triggering event to an anticipatory search warrant, after the search warrant application has been granted but before the servicing of the warrant?

¹ Opinions of the court below are not attached due to not being able to visit the law library to make additional copies due to this facility's lockdown for covid-19 quarantine (the reason for requesting an extension of time), Appeal No 20-1817 and Petitioner not wanting to submit his only copy(s).

Petitioner Calligan is currently incarcerated and will be filing the Petition for Writ of Certiorari, *pro se*. Petitioner's facility is on a 14-day quarantine for Covid-19 outbreaks, which may extend additional 14-days upon further positive testing. During this quarantine time, Petitioner will not be allowed outside of his cell, even to visit the law library.

The extension of time requested would likely improve significantly the quality of the petition that is ultimately filed.

Dated: February 12, 2022

Respectfully Submitted,

Edwin D. Calligan #994335
Pendleton Correctional Facility
4490 W. Reformatory Rd.
Pendleton, IN 46064