

IN THE UNITED STATES SUPREME COURT

MIGUEL SCOTT ARNOLD,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

Appeal No. 20-2887
Original Case No. 1:17-cr-00002-001
MOTION FOR EXTENSION OF TIME
TO FILE WRIT OF CERTIORARI

PRO SE MOTION SEEKING EXTENSION OF TIME
IN WHICH TO FILE WRIT OF CERTIORARI

Comes now Miguel Scott Arnold, hereinafter referred to as petitioner, proceeding pro se and prays this Honorable Court apply liberal construction to the instant action as afforded all pro se litigants/inmates. (See Haines v. Kerner, 404 U.S. 519 (1972)).

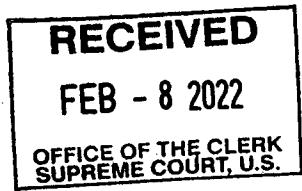
Petitioner is seeking an extension of time in which to file his pro se motion seeking a Writ of Certiorari with this Honorable Court, for good cause shown, of no more than 45 days from the date of this instant filing.

RELEVANT PROCEDURAL HISTORY

On or about July 29, 2021, the United States Court of Appeals for the Third Circuit denied petitioner's appeal and affirmed the judgment of the District Court for the Eastern District of Pennsylvania in criminal case number 1:17-cr-00002-001.

On or about October 8, 2021, petitioner submitted his pro se motion seeking an En Banc hearing regarding the Appellate Court's denial of his Direct Appeal.

Between October 15, 2021 and October 22, 2021, petitioner was transferred from Butner F.C.I. (Medium 2), the institution from where he submitted his En Banc request for hearing motion. Petitioner stayed in transit from approximately two weeks after he filed his pro se motion seeking an en banc hearing until



November 22, 2021 at which time he arrived at his final destination, i.e., F.C.I. Hazelton. During his time while in transit, he didn't receive any mail or any form of correspondence, nor was any forwarded to him at his current Institution.

Knowing that he had his motion for En Banc rehearing pending in court, on or about January 9, 2022, petitioner submitted a letter of inquiry to the Court of Appeals for the Third Circuit inquiring about the status of his Motion for Rehearing En Banc. On January 28, 2022, during general mail call in the housing unit, petitioner received a response to this letter of inquiry. In said response, the Case Manager of the Courts informed petitioner that his motion for rehearing en banc had been denied on November 3, 2021. Being that petitioner was in transit, and through no fault of his own, petitioner was not aware of this denial nor the commencement of his time limit in which to file his motion for a Writ of Certiorari with this Honorable Court, nor the time limit in which to file to seek an extension of time. This being the case and based on these facts, petitioner was unable to prepare his Writ of Certiorari and/or an extension of time in which to file, in a timely manner. Again, all through no fault or neglect of his own.

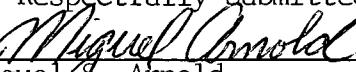
RELIEF PRAYED FOR

Based on the herein foregoing in its entirety, petitioner prays this Honorable Court grant him an extension of time in which to file his Writ of Certiorari to this Honorable Court. Petitioner asks that the extension of time be no more than 45 days, as he is preparing his Writ of Certiorari pro se and without the assistance of professional counsel. Petitioner has been pursuing his rights diligently and according to all rules of the various courts he's filed in. This unfortunate incident was unknown and unforeseen by petitioner.

Dated this 29 day of January, 2022.

I, Miguel Scott Arnold, swear under penalty of perjury by the laws of the

United States of America that the foregoing, in its entirety, is true and correct to the best of my knowledge and belief. (28 U.S.C. § 1746).

Respectfully Submitted,
/s/ 

Miguel S. Arnold
Petitioner Pro Se

CERTIFICATE OF SERVICE

I, Miguel Scott Arnold, swear under penalty of perjury by the laws of the United States of America that I caused to be sent a true and correct copy of the foregoing and attached, by placing same in the institution's mailbox/mail system, with first class postage prepaid on January 29, 2022, to:

Michael A. Consiglio, Esq.
Assistant U.S. Attorney
Office of the U.S. Attorney
228 Walnut Street
Harrisburg, PA 17101

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
21400 U.S. COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106

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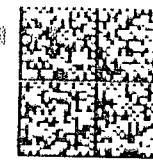
DOES NOT MEET
B.O.P. CRITERIA OF
SPECIAL MAIL HANDLING Legal Mail:
Open in inmate's presence

Miguel Scott Arnold
#75651-067
Hazelton FCI
P.O. Box 5000
Bruceton Mills, WV 26525

26525-500100

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25 MAY 2022 9000



A circular postmark with the words "UNITED STATES POSTAGE" curved along the top. In the center is a profile of a Native American's head, facing left. The postmark is partially cut off on the left side.

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