

NO. \_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

RONALD DEAN LOWE,

PETITIONER,

v.

STATE OF OKLAHOMA,

RESPONDENT,

ON PETITION FOR WRIT OF CERTIORARI

OKLAHOMA COURT OF CRIMINAL APPEALS

APPLICATION FOR EXTENSION OF TIME

AND/OR EQUITABLE SUPREME COURT REMEDY

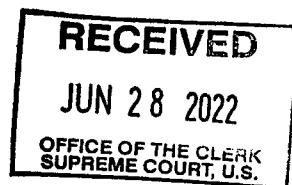
RONALD DEAN LOWE (PRO SE)

INMATE NUMBER: 219027 / INCARCERATED

JHCC/B1-220

P.O.BOX 548

LEXINGTON, OKLAHOMA 73051-0548.



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APPLICATION FOR AN EXTENSION OF TIME

AND/OR EQUITABLE SUPREME COURT REMEDY

TO: JUSTICE SOTOMAYOR

CIRCUIT JUSTICE FOR THE TENTH (10<sup>th</sup>) CIRCUIT

Comes Now the Petitioner, Ronald Dean Lowe, appearing as a Pro Se inmate or offender or prisoner, 28 U.S.C.A. Section 1654, and hereby docket with the Supreme Court of the United States (SCOTUS) an Application For An Extension Of Time of Sixty (60) days, 28 U.S.C. Section 2101(c) and Rule 13 of the Rules of the Supreme Court (herein after “Rule #“) within which to file a Petition For A Writ Of Certiorari, from the 12<sup>th</sup> day of July 2022 to the 10<sup>th</sup> day of September 2022,

In the matter of Lowe V. State, Case Numbers PC-2022-116 & PC-2022-117 (Combined), from the Order Affirming Denial of Post-Conviction Relief and Denying Petition For An Appeal Out Of Time entered in the Oklahoma Court of Criminal Appeals on the 13<sup>th</sup> day of April 2022. See Appendix A. See also Rules 13, 22, 24, 30, and 33. See Also Appendix B (Proposed Constitutional Questions).

Primarily, the Petitioner docket the present application in order to have additional time to attempt to obtain compensated (Appendix C) or Pro Bono (Appendix D) legal assistance to even be capable, in terms of specialized digital

printing paper and ostensibly a specialized ink jet printer or specialized color lasier printer (i.e., in 1992 most laser printers were confined to standard Office paper sizes of 8 ½" X 11" or maybe Legal size of 8 1/2" X 14" of properly complying with the requirement of the Supreme Court Rule 33.1 that draconially, at least for a prisoner proceeding Pro Se and not In Forma Pauperis mandates that Petitions For A Writ Of Certiorari, 28 U.S.C. Sections 2101, 2102, and 2104, and Rules 10, 12, 13, 14, 29, 30, 33, and 34, be timely perfected via documents prepared in the Supreme Court "quaint" or "idiosyncratic" Rule 33.1 Booklet format on an "arbitrary and capricious" paper size of 6 1/8 inches by 9 ¼ inches. See Rule 33.1(a).

Thankfully, the Supreme Court Rule does not specify genuine chamois or vellum paper.

Additionally, the Petitioner has contacted the District Court Reporter to order District Court hearing transcripts and the State of Oklahoma is infamous for infinite delays in violation of the fundamental concept of Due Process that by the very title connotes with action.

Unquestionably, the petitioner abused the Certiorari and the Extraordinary Writ Processes. See Lowe V. Pogue, 526 U.S. 273, 119 S. Ct. 1238, 143 L. Ed. 2d 384 (1999); Lowe V. Cantrell, 525 U.S. 273, 119 S. Ct. 1238, 143 L. Ed. 2d 384 (1999); In Re Lowe, 525 U.S. 960, 119 S. Ct. 400-401, 142 L. Ed. 2d 325 (1998) (Numbers 98-5530, 98-5681, and 98-5919). Mea Culpa .

However, in the time period spanning the years from 1993 until the latter part of the year 2000, the petitioner was truly afflicted by an untreated mental health condition, diagnosed by a State Psychiatrist, termed Paranoid-Schizophrenia (i.e., delusions of grandeur and persecution as well as a separation between thoughts and emotions and the familiar bizarre behavior). See Webster's New World Dictionary and Thesaurus, Second Edition (2002) for "Paranoia" and "Schizophrenia".

Presently, the petitioner is under treatment for the mental disorder(s) and has been since the latter part of the year 2000.

Nevertheless, these abuses transpired over twenty (20) years ago. Does an abuse of the Certiorari and Extraordinary Writ process warrant effectively a lifetime denial of the First (1<sup>st</sup>) Amendment right granted to the Petitioner to "petition the government for the redress of grievances" ?

Indisputably, this Petitioner has absolutely "NO" control over the legal Office supplies (i.e., the size, color, weight, texture, or other attribute of the stationary provided in the Prison Law Library) or the legal office equipment {i.e., printer either specialty laser printer, either black or color, or specialty Ink Jet printer, either black or color, photocopier, or additional hardware and software) furnished by the State of Oklahoma for the Department of Corrections operated Correctional Center Prison Law Libraries.

Furthermore, the Petitioner has contacted several law firms and non-profit legal assistance centers requesting the legal services of an attorney to advocate in collateral proceedings in either a State of Oklahoma or a Federal Court, attacking the Constitutionality as well as the Judicial authority of the State of Oklahoma Courts in terms of the Jurisdiction of the Court over the person, the subject matter the authority under the law, if not preempted by federal law under the Supremacy Clause, to pronounce judgment and sentence upon the petitioner due to the provisions of the Oklahoma Constitution, Article 1, Section 1, and Article 1, Section 3.

Conscientiously, the petitioner has attached two (2) response letters to evidence the attempts to retain legal representation. See Appendices C (Paid) and D (Pro Bono).

Patently, the legal argument proposed by the Hamilton Law Firm is egregiously frivolous on the proposed legal strategy. Apparently, the Hamilton Law Office believes that the current year is in the 1880's or 1890's and not in the twenty-first (21<sup>st</sup>) Century.

In the current or comparable legal situation, the federal rules of Civil Procedure for the United States District Courts (hereinafter the "FRCP") Rule 60 (D)(5) provides

that the Court may relieve a party or its legal representative from a final judgment, or proceeding for the following [reasons] "...applying it prospectively is no longer equitable;..."

See:

GONZALES V. CROSBY

545 U.S. 524, 541, n. 1, 125 S. Ct. 2641, 2653, 162 L. Ed. 2d 480 (2005)

ABDUR'RAHMAN V. BELL

537 U.S. 88, 91, n. 4, 123 S. Ct. 594, 595, 154 L. Ed. 2d 501 (2002).

'The Declaratory Judgment Act (DJA) provides an Equitable Remedy allowing a party to ask a federal court to declare [The Party's] rights "through an Order with " the force and effect of a final judgment." 28 U.S.C. Section 2201(a).'

HERRERA V. WYOMING

139 S. Ct. 1686, 1712, 203 L. Ed. 2d 846 (2019).

Therefore, the Supreme Court of the United States could declare in an Order of the Court that the Petitioner is found to be In Forma Pauperis (i.e., unable to retain legal counsel) and that the correct Petition For A Writ Of Certiorari may proceed In Forma Pauperis upon the remittance of the Court Clerk docketing Fee and the submission of the original to a Petition For A Writ Of Certiorari due to the

fact that the Petitioner in proceeding Pro Se and is a prisoner in a State prison or Penitentiary.

### CONCLUSION

Wherefore the petitioner, Ronald Dean Lowe, hereby requests an Extension Of Time of the Statutory Maximum of Sixty (60) days, See 28 U.S.C. Section 2101(c), as the Petitioner has been unable to retain Legal Counsel, either paid or

Pro Bono, to perfect a Petition For A Writ Of Certiorari. Resultingly, the petitioner is incapable, with the Oklahoma Department of Correction's supplied computer equipment and related computer printers as well as Law Library photocopier, of properly complying with the dictates of Supreme Court Rule 33.1 relevant to the mandated Booklet Format documents expected of Professional Attorneys and generally Corporate Law Firms.

Additionally, the petitioner entreaties the Supreme Court to employ the "equitable powers" available to the court to remove the onerous 1990's judgment burden that effectively deprives the petitioner of the vital first amendment right to Petition the government for redress of grievances.

Alternatively, the Supreme Court, strictly for the present legal matter, at hand, could duly declare the Petitioner to be a pauper, in the sense of being incapable of retaining legal counsel, and judicially authorize the matter to proceed In

Forma Pauperis upon the timely payment of the Court Clerk docketing fee of threehundred dollars (\$300.00). In accordance, with the rules of the Supreme Court, due to the matter proceeding in forma pauperis and the fact that the Petitioner is self representing (i.e., Pro Se) and a prisoner in a Penitentiary. The petition for a Writ of Certiorari properly can be prepared in the standard Office type format on 8 ½ inch by 11 inch white paper and the Petitioner is only mandated to docket the original version of the Petition.

Finally, the petitioner made a valiant efffort to determine the identity of the Justice or the Justices assigned to the Tenth (10<sup>th</sup>) Circuit Coirt of Appeals. See Appendix E. Thusly, this error, if present, is directly attributable to the State of Oklahoma.

Nonetheless, a routine database search on the Westlaw Correctional Internet Web-site revealed that Justice Sotomayor was credited for being the Circuit Justice for the Tenth (10<sup>th</sup>) Circuit in the case of Hobby Lobby Stores, Inc., V. Sebelius, 568 U.S 1401, 1401, 133 S. Ct. 641, 642, 184 L. Ed. 2d 448 (2012). Ergo, in the absence of “better” information, this is the name of the Cicruit Justice to whom this Application is addressed.

Respectfully Submitted,

/S/ 

Ronald Dean Lowe,

Pro Se/Incarcerated

Inmate Number: 219027

JHCC'B1-220

PO Box 548

Lexington, Oklahoma 73051-0548.

Dated: 14 JUNE 2022

See Appendix F for Additional Case History.

See Appendix G for Case Transcripts Documentation

**VERIFICATION**

I, Ronald Dean Lowe, being duly sworn, deposes and expounds undr the penalty of Perjury, under the statutory authority of 18 U.S.C. Section 1621, that the facts alleged in the current:

Application for an Extension of Time and/or Equitable Supreme Court Remedy

are true and correct to the best o f my full and complete knowledge and belief.

/s/ 

Ronald Dean Lowe

Dated : 15th day of June 2022

SUBSCRIBED AND SWORN TO before me on this the 15 Day of June 2022 in the County of Cleveland, within the State of Oklahoma.

/s/

