

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_ ALEX MARTINEZ — PETITIONER  
(Your Name)

VS.

UNITED STATES OF AMERICA, ET AL. — RESPONDENT(S)

PETITIONER'S MOTION TO FILE PETITION FOR WRIT OF CERTIORARI OUT  
OF TIME IN *FORMA PAUPERIS*

Pursuant to the Court Rule(s) 13.5, 21 30, and 33.2.

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May 03<sup>rd</sup>, 2022

## ***BACKGROUND AND BASIS FOR JURISDICTION***

A Motion to File a Petition For Writ of Certiorari Out of Time *In Forma Pauperis* was requested by the Office of the Clerk of the Court in their decision letter of April 21<sup>st</sup>, 2022, by Ms. Lisa Nesbitt for Mr. Scott S. Harris. That was done because according to them, “the judgment or order denying a timely petition for rehearing was August 27, 2021” and that the “petition was due on or before November 25, 2021. Rules 13.1, 29.2 and 30.1.” See Application to Extend Time to File Petition For Writ of Certiorari filed on April 13<sup>th</sup>, 2022.

This is an “error in law” and a miscarriage of justice as the Notices issued by the Courts of August 27<sup>th</sup>, 2021 and November 03<sup>rd</sup>, 2021 are both titled as “Orders” and therefore they are both deemed to be “Judgments” and thus Sua Sponte prevails. Furthermore; it is not clearly specified in the Circuit Rules of the United States Court of Appeals for the District of Columbia Circuit and the Rules of the Supreme Court of the United States of America that it cannot be filed following the Judgment of the Petition for you are required to exhaust all conventional avenues of appeal in the Rules before submitting an Application and Appeal to a new court. See Appendix “1;” Excerpts of Circuit Rules of the United States Court of Appeals for the District of Columbia Circuit and the Rules of the Supreme Court of the United States of America.

## ***JUDGMENT SOUGHT TO BE REVIEWED***

Therefore; in our view, the Application is not late and out of time; however, the office of the Clerk claims that it is and since there is no specific rule; they have

asked that a Motion be filed as the issue requires intervention from a Senior Justice and Judge.

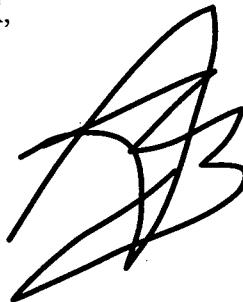
***REASONS FOR GRANTING A MOTION OUT OF TIME***

Seeing as this has become an issue of contention and dispute; the Office of the Clerk has recommended that a Motion Out of Time be filed as there is a conflict in the Rules which they cannot remedy.

***CONCLUSION***

Thus the Petitioner requests that the Court do an independent assessment and review and file the Petition for a Writ of Certiorari as on time for in every Court you are required to exhaust all conventional avenues of appeal in the Rules before submitting an Application and Appeal to a new court.

Respectfully submitted,



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ALEX MARTINEZ,  
*Applicant-Petitioner*

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