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CHRISTOPHER M. SALISBURY #59751037

USP-TUCSON P.O. Box 24550

TUCSON, AZ 85734

IN The Supreme Court of the United States
NO: _____ (not assigned)

SEE: USCA4 No. 20-7293

CHRISTOPHER SALISBURY, Petitioner
vs

United States of America, Respondent

On Petition for Writ of Certiorari to the
United States Court of Appeals for the
Fourth Circuit. USCA4 No. 20-7293
(1:19 cv-00268-GLR):(1:15-CR-00621-GLR-1)

PETITION FOR EXTENSION OF TIME AND
REINSTATEMENT OF PROCEEDINGS OF
WRIT OF CERTIORARI VIA OUT OF TIME.

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JAN 19 2022

OFFICE OF THE CLERK
SUPREME COURT, U.S.

I. INTRODUCTION

Mr. Salisbury's deadline for filing a petition for certiorari was November 19, 2021, 180 days from the Fourth Circuit's denial of his petition for rehearing, on June 23, 2021.

Mr. Salisbury petitioned this Court on November 18th, 2021 via U.S. Prison legal mail, explaining the prison was on "Code Red" lockdown status

thus needed an extension of time to submit his certiorari as extraordinary circumstances beyond his control prevented him and obstructed his ability to file a timely application.

Petitioner's family attempted via email and phone calls to contact this court on multiple documented occasions to continue his 11-18-21 request for extension was received. Messages were left, but not returned from the court. This, perhaps, due to the overwhelming stress on this court in part to Covid-19, not much unlike the petitioner.

Finally, petitioner made a 12-12-21 inquiry into the same which was received on December 8, 2021 [EXHIBIT A], by the stamp

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SHIRLEY A. LISHANSKY'S petition for Writ of Certiorari received on December 14, 2021, yet rejected on the grounds that petitioner's filing was due on November 19, 2021.

II. Grounds for Reinstatement

A. Petitioner submit that his petition received on December 14th, 2021 was timely in respect to the Supreme Court July 19, 2021 order [EXHIBIT B] which advises in pertinent part:

"It is Further ordered... the deadline to file a petition for a writ of

(cont)

... certiorari remains extended to 150 days from the date of that judgement or order."

In this order it states, "... the Courts order of March 19, 2020 and April 15, 2020 relating to Covid-19 are rescinded, subject to the clarifications set forth below."

[EXHIBITS C, D] [Emphasis added]

The order further clarifies which exact aspects of the previous orders have been rescinded and modified, but fails to specify any specific alterations made to the Thursday, March 19, 2020 [EXHIBIT C] order which states, "... It is further ordered that any motions for extensions of time pursuant to Rule 30.4 will be ordinarily granted by the clerk as a matter of course. For the applications are difficulties relating to Covid-19."

B. In his original request, petitioner states that extraordinary and compelling circumstances are also presented by not only the novelties of the Covid-19 pandemic, but also by his being a pro se applicant who is also an incarcerated federal inmate held in an institution who has remained in "Code Red" status since Spring 2021.

Since the July order did not specify that the Covid-19 extension exception

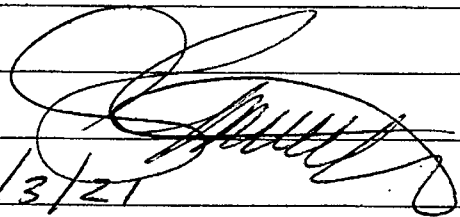
(cont) was expired, and the Country was (and still is) very much dealing with the active pandemic - Pro se petitioner reasonably operated under the assumption that his time to File had been ... "ordinarily granted ... due to difficulties relating to Covid-19..." as an "extension" of the March, April and July orders, respectively, unless otherwise specified in the July order.

It is for these reasons that petitioner moves this Honorable Court for (A) An extension of time and/or (B) to reinstate his petition for writ of Certiorari as timely, or in the alternate, "out of time."

Respectfully,

Chris Salichman;

DATE: 1/3/21



12/1/21

Dear Sir or Madam,

I am writing because I have a W.O.C application to return to you which is due on 12-3-21.

I wrote to request an extension on 11/18/21 citing extraordinary and compelling circumstances caused by our Compounds Code Red status due to Modified Covid operations. I have not received a ruling on this. My family has called your court daily and left electronic messages that have not been returned. My sister's name is Michelle Williams, a court administrator in the Atlanta Metropolitan area.

Since my request, you can see with very minimal research that USP Tucson has been on lockdown sometimes for times in a single day. Sometimes for as long as a week at a time. The volatility in USP Tucson operations schedule makes it nearly impossible to type, print, copy and mail all of the necessary documents to you under any current timeframe because there is nothing certain on any given day under Code Red status.

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If you did ~~not~~ receive my
request for an extension please kindly
consider this as that request.

Our only inmate copy machine has been
down and access to legal resources is
stagnant every other day (or lucky) - some
of which may be depended on in any
sense. Ideally, to accommodate your procedural
requests I can have fines to submit my
argument to Michelle Williams to type for
me. And with Power of Attorney designated,
have her sue for me.

I truly hope for more direction
from you regarding this per se request.

Respectfully,

Chas Salazar
58751037

(ORDER LIST: 594 U.S.)

MONDAY, JULY 19, 2021

ORDER

IT IS ORDERED that the Court's orders of March 19, 2020 and April 15, 2020 relating to COVID-19 are rescinded, subject to the clarifications set forth below.

IT IS FURTHER ORDERED that, in any case in which the relevant lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing was issued prior to July 19, 2021, the deadline to file a petition for a writ of certiorari remains extended to 150 days from the date of that judgment or order. In any case in which the relevant lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing was issued on or after July 19, 2021, the deadline to file a petition for a writ of certiorari is as provided by Rule 13. *Dec 19, 2021*

IT IS FURTHER ORDERED that the requirement of Rule 33.1 that 40 copies of documents be submitted in booklet format will go back into effect as to covered documents filed on or after September 1, 2021. For submissions pursuant to Rule 33.2, the requirement of Rule 39 that an original and 10 copies be submitted, where applicable, will also go back into effect as to covered documents filed on or after September 1, 2021. The authorization to file a single copy of certain documents on 8½ x 11 inch paper, as set forth in the Court's April 15, 2020 order, will remain in effect only as to documents filed before September 1, 2021.

IT IS FURTHER ORDERED that the following types of documents should not be filed in paper form if they are submitted through the Court's electronic filing system:

(1) motions for an extension of time under Rule 30.4; (2) waivers of the right to respond to a

petition under Rule 15.5; and (3) blanket consents to the filing of amicus briefs under Rules 37.2(a) and 37.3(a). Notwithstanding Rule 34.6 and paragraph 9 of the Guidelines for the Submission of Documents to the Supreme Court's Electronic Filing System, these enumerated filings should be filed electronically in cases governed by Rule 34.6, although other types of documents in those cases should be filed in paper form only.

(ORDER LIST: 589 U.S.)

THURSDAY, MARCH 19, 2020

ORDER

In light of the ongoing public health concerns relating to COVID-19, the following shall apply to cases prior to a ruling on a petition for a writ of certiorari:

IT IS ORDERED that the deadline to file any petition for a writ of certiorari due on or after the date of this order is extended to 150 days from the date of the lower court judgment, order denying discretionary review, or order denying a timely petition for rehearing. See Rules 13.1 and 13.3.

IT IS FURTHER ORDERED that motions for extensions of time pursuant to Rule 30.4 will ordinarily be granted by the Clerk as a matter of course if the grounds for the application are difficulties relating to COVID-19 and if the length of the extension requested is reasonable under the circumstances. Such motions should indicate whether the opposing party has an objection.

IT IS FURTHER ORDERED that, notwithstanding Rules 15.5 and 15.6, the Clerk will entertain motions to delay distribution of a petition for writ of certiorari where the grounds for the motion are that the petitioner needs additional time to file a reply due to difficulties relating to COVID-19. Such motions will ordinarily be granted by the Clerk as a matter of course if the length of the extension requested is reasonable under the circumstances and if the motion is actually received by the Clerk at least two days prior to the relevant distribution date. Such motions should indicate whether the opposing party has an objection.

IT IS FURTHER ORDERED that these modifications to the Court's Rules and practices do not apply to cases in which certiorari has been granted or a direct appeal or original action has been set for argument.

These modifications will remain in effect until further order of the Court.

EXHIBIT D

(ORDER LIST: 589 U.S.)

WEDNESDAY, APRIL 15, 2020

ORDER

In light of the ongoing public health concerns relating to COVID-19:

IT IS ORDERED that with respect to every document filed in a case prior to a ruling on a petition for a writ of certiorari or petition for an extraordinary writ, or a decision to set an appeal for argument, a single paper copy of the document, formatted on 8½ x 11 inch paper, may be filed. The document may be formatted under the standards set forth in Rule 33.2, or under the standards set forth in Rule 33.1 but printed on 8½ x 11 inch paper. The Court may later request that a document initially submitted on 8½ x 11 inch paper be submitted in booklet format.

IT IS FURTHER ORDERED that the following types of documents should not be filed in paper form if they are submitted through the Court's electronic filing system: (1) motions for an extension of time under Rule 30.4; (2) waivers of the right to respond to a petition under Rule 15.5; (3) blanket consents to the filing of amicus briefs under Rules 37.2(a) and 37.3(a); and (4) motions to delay distribution of a cert petition under the Court's Order of March 19, 2020. Notwithstanding Rule 34.6 and paragraph 9 of the Guidelines for the Submission of Documents to the Supreme Court's Electronic Filing System, these enumerated filings should be filed electronically in cases governed by Rule 34.6, although other types of documents in those cases should still be filed in paper form only.

IT IS FURTHER ORDERED that, notwithstanding Rule 29.3, parties may be relieved of the obligation to effect service of paper versions of filings upon other

parties if they agree to electronic service; parties are strongly encouraged to use electronic service if feasible.

These modifications will remain in effect until further order of the Court.