

IN THE UNITED STATES
SUPREME COURT

BLAKE SANDLAIN

PETITIONER

District case no: 14-cr-20283(GAD)

USCAG NO: 20-1697

VS.

UNITED STATES

OF AMERICA

RESPONDENT

MOTION TO FILE AN OUT-OF-TIME PRO SE,
PETITION FOR WRIT OF CERTIORARI

COMES NOW, BLAKE SANDLAIN ("HEREAFTER PETITIONER") PRO SE, RESPECTFULLY MOVES THIS HONORABLE SUPREME COURT TO FILE AN OUT-OF-TIME, PRO SE WRIT OF CERTIORARI. PETITIONER WILL SHOW THE COURTS AS FOLLOW WHY THE OUT-OF-TIME PETITION SHALL BE GRANTED:

PETITIONER HAS BEEN DILIGENTLY PURSUING RECEIVING JUSTICE ON THE DENIAL OF HIS 60(b)(4) VOID JUDGMENT MOTION FROM THE DISTRICT COURT, AND THE SIXTH CIRCUIT COURT OF APPEALS. PETITIONER FURTHER CONTENTS THAT HE RELIED ON THIS SUPREME COURT THURSDAY MARCH 19, 2020 (ORDER LIST 589 U.S.) ENCLOSED, EXTENDING TIME TO FILE CERTIORARI TO (150) DAYS FROM THE LOWER COURT JUDGMENT.

AND AT NO TIME HAD PETITIONER RECEIVED NOTICE FROM THIS SUPREME COURT MONDAY, JULY 19, 2021 (ORDER LIST 594 U.S.) RESINDING THE THURSDAY MARCH 19, 2020 (ORDER LIST 589 U.S.) UNTILL HE FILED HIS PETITION NOVEMBER 30, 2021. SEE, SPOTTSVILLE V TERRY 476 F.3D 1241 (11th CIR 2007) (QUOTING HOLLAND V FL., 560 U.S. 631 (2010))

(Holding; equitable tolling applied because pro se petitioner demonstrated diligence, and that petitioner's reliance on misleading instructions from state habeas court constituted extraordinary circumstances to toll time).

RELIEF REQUESTED

Petitioner Request that equitable tolling is granted for his petition for certiorari to receive review, as petitioner was misled by the instructions from the Thursday March 19, 2020 (order list 589 U.S.), and never received notice that the July 19, 2021 (order list 594 U.S.) rescinded the Thursday March 19, 2020 (order). Petitioner also request, that he's informed of whether this petition is going to be reviewed or not. Appoint counsel pursuant to 18 U.S.C. 3006(A).

Date Feb. 3, 2022

Blake Sandlain

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