

No. USCA8 NO-1123

Eye v. United States

IN THE  
SUPREME COURT OF THE UNITED STATES

Gary Eye — PETITIONER  
(Your Name)

VS.

United States of America — RESPONDENT(S)

**PROOF OF SERVICE**

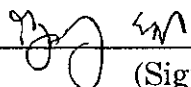
I, Gary Eye, do swear or declare that on this date, 7-15-22, 2022, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Solicitor General of the United States, Room 5614, Department of Justice  
950 Pennsylvania Ave. N.W.  
Washington, D.C. 20530-0001

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 7-15-22, 2022

  
(Signature)

To: Clerk of Court, Scott S. Harris & Claude, Alde

From: Gary Eye

Re: Petitioning certiorari (USCA8 No. 22-1123)

To whom it may concern,

Hello, how are you? I filed a petition for certiorari to the Supreme Court on (4-7-22) with a Declaration under perjury enclosed on the back page signed by Petitioner in two separate declarations under penalty of perjury. Under the penalty of perjury spelled out and signed with a Date of (4-7-22) and 2) pursuant to the mailbox rule in (Henson v. Lark) this legal document was placed in the prison mailing system on (4-7-22) thus as under the rule in the case (Henson v. Lark) this case is deemed filed under the rule of perjury since the B.O.P is a Government vessel with postage paid in full. Please see the back page of the original writ of certiorari filed by Petitioner to confirm Declaration which is on page (4) of (4) at the bottom with a signature and Dates on both legal declarations the deadline to file a writ of certiorari in this particular case was (4-27-22), Petitioner filed his writ of certiorari (20) days ahead of deadline with (2) different declarations under the penalty of perjury.

Petitioner hopes this court takes his declarations as an adequate legal document and deems this writ of certiorari filed. Considering the declarations submitted in original writ should cure any timeline dispute considering Petitioner can not be held reliable for the B.O.P and its mailing system.

Respectfully Submitted

Date: 5-26-22

Gary Eye

pursuant to the mailbox rule in (Henson v. Lark) this legal document was placed in the prison mailing system on (5-26-22) thus deeming this legal document filed under perjury respectfully submitted, Gary Eye (5-26-22) "Pg 1 of 1"

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

June 7, 2022

Gary Eye  
#18593045  
P O Box 2068  
Inez, KY 41224

RE: Eye v. United States  
USCA8 No. 22-1123

Dear Mr. Eye:

The above-entitled petition for writ of certiorari was originally postmarked May 9, 2022 and received again on June 6, 2022. The papers are returned for the following reason(s):

Despite having a declaration of timely submission your petition for a writ of certiorari does not comply with the Court's Rules. You're lacking the following:

No motion for leave to proceed in forma pauperis, signed by the petitioner or by counsel, is attached. Rules 33.2 and 39. The motion must be signed.

No notarized affidavit or declaration of indigency is attached. Rule 39. You may use the enclosed form.

✕ The petition fails to comply with the content requirements of Rule 14. A guide for in forma pauperis petitioners and a copy of the Rules of this Court are enclosed. The guide includes a form petition that may be used.

The questions presented for review. Rule 14.1(a).

A reference to the opinions below. Rule 14.1(d).

A concise statement of the grounds on which jurisdiction is invoked. Rule 14.1(e).

A concise statement of the case. Rule 14.1(g).

The reasons relied on for the allowance of the writ. Rules 10 and 14.1(h).

The appendix to the petition does not contain the following documents required by Rule 14.1(i):

The lower court opinion(s) must be appended.

The opinion of the United States district court must be appended.

The report and recommendation of the magistrate must be appended, if any.

The order denying rehearing must be appended. Rule 14.1(i)(iii), if any.

No affidavit or declaration of service, specifying the names and addresses of those served, was received. Rule 29.5.

They are returned for failure to reflect the changes requested in prior correspondence.

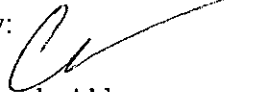
It is impossible to determine the timeliness of the petition without the lower court opinions.

A copy of the corrected petition must be served on opposing counsel.

An otherwise untimely petition being filed by an inmate confined in an institution may not be docketed unless it was timely deposited in the institution's internal mail system and is accompanied by a notarized statement or declaration setting forth the date of deposit in the institution's internal mail system and stating that first class postage has been prepaid. Rule 29.2. The petition may not be filed until the required affidavit or declaration is received.

Sincerely,  
Scott S. Harris, Clerk

By:

  
Claude Alde  
(202) 479-3023

Enclosures

Counselor  
~~Counselor~~

SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001

May 23, 2022

Gary Eye  
#18593045  
P O Box 2068  
Inez, KY 41224

RE: Eye v. United States  
USCA8 No. 22-1123

Dear Mr. Eye:

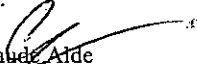
The above-entitled petition for a writ of certiorari was postmarked May 9, 2022 and received May 19, 2022. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was January 27, 2022. Therefore, the petition was due on or before April 27, 2022. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

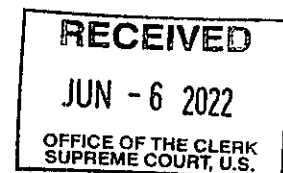
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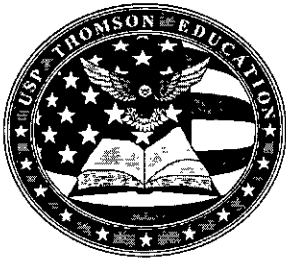
Sincerely,  
Scott S. Harris, Clerk

By:

  
Claude Aide  
(202) 479-3023

Enclosures





U.S. Department of Justice  
Federal Bureau of Prisons

UNITED STATES PENITENTIARY  
THOMSON

EDUCATION DEPARTMENT

October <sup>31</sup>~~24~~ <sup>K.S.</sup>, 2022

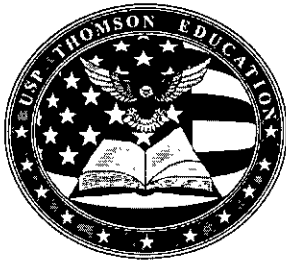
INMATE REQUEST TO STAFF

From Education Staff Member: K. Smith

To: Inmate Eye #18593-045

Your copy request material was received on October 7th. Thirty-three pages of materials with one copy totals to \$4.95.

If you have additional questions concerning your education, submit a new cop-out addressed to Education Department.



U.S. Department of Justice  
Federal Bureau of Prisons

UNITED STATES PENITENTIARY  
THOMSON

EDUCATION DEPARTMENT

October <sup>31</sup>~~2~~<sup>K.S.</sup>, 2022

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