

United States Court of Appeals
For The Fifth Circuit
No. 21-30529

In The Supreme Court Of The United States

James Stacey Harber, Petitioner

v

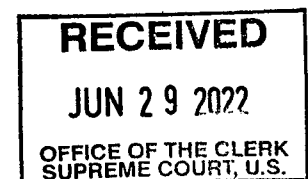
United States Court of Appeals
For The Fifth Circuit, Respondent

**APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

**To The Honorable Samuel A. Alito, Jr. As Circuit Justice of the
United States Court of Appeals for The Fifth Circuit**

Petitioner James S. Harber, requests an extension of time to file his Petition for Writ of Certiorari. Pursuant to Rule 13.5 of the Rules of this Court, Petitioner, James S. Harber hereby request a 60-day extension of time within which to file a Petition for Writ of Certiorari up to September 6, 2022.

The judgement for which review is sought is United States Court of Appeals for The Fifth Circuit, No.21-30529, United States v James Stacey Harber. (attached as Exhibit 1). The United States Court Of Appeals For The Fifth Circuit denied the petition for a rehearing in the United States District Court, Western District of Louisiana on April 6, 2022. (attached as Exhibit 2). This application is being filed 10 days prior to the due date of the Writ of Certiorari.



This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C., 1254 (1). Under Rules 13.1, 13.3 and 30.1 of the Rules of this Court, a petition for writ of certiorari was due to be filed on or before July 6, 2022. In accordance with Rule 13.5 is being filed 10 days in advance of the filing date for the petition for a writ of certiorari.

Petitioner James S. Harber, respectfully request a 60-day extension of time within which to file a petition for a writ of certiorari because of unforeseen circumstances including spending twenty days (from March 22 to April 12, 2022) at a Federal Transfer Center in Oklahoma. Then was relocated to the Coleman II facility in Coleman, Florida on April 12, 2022. There was no access to numbers for 3 days and nothing was noted on the Bureau Prisons Site for a slightly longer period of time so the attorney didn't have an address to send any mail. The denial of the Certificate of Appealability was not delivered to me until around April 29, 2022.

During this period of time the Coleman facility was placed on Red Alert for covid concerns and access to the law library which is located in the inside recreational area was denied along with other areas outside of the dorm. The restrictions were lifted on or around June 11, 2022 and although access to the inside recreational area is open now and research can be resumed since this is a pro se filing, the printer is not functional because it is out of toner.

Respectfully submitted,

James Stacey Harber

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