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BRUCE WOOD #00557815  
JAMES T. VAUGHN CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DE, 19977

SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, D.C. 20543-0001

RE: MOTION FOR EXTENSION OF TIME - APPOINTMENT OF COUNSEL?  
BRUCE WOOD, APPELLANT V. ROBERT MAY, WARDEN V. THE ATTORNEY  
GENERAL FOR THE STATE OF DELAWARE, APPELEE  
IN: U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT NO. 21-1499

DEAR U.S. SUPREME COURT,

MY TIMELY MOTION FOR REHEARING EN BANC WAS DENIED BY THE  
THIRD COURT ON AUGUST 1, 2022 NO. 21-1499. DUE TO MY EXTRAORDINARY  
CIRCUMSTANCES I CANNOT PRODUCE AN EFFECTIVE WRIT OF CERTIORARI TO  
THIS COURT WITHIN 90 DAYS FROM AUGUST 1, 2022.

THE LAW LIBRARY HERE HAS DRASTICALLY REDUCED INMATES TIME  
IN THE LAW LIBRARY TO JUST ONE DAY <sup>ONE HOUR</sup> A WEEK. I HAVE BEEN DIAGNOSED  
WITH SERIOUS HEART CONDITION AND NEED OPEN HEART SURGERY IN  
THE NEAR FUTURE. I HAD TO QUIT MY PRISON JOB PUSHING WHEEL  
CHAIRS <sup>CHAIRS</sup> BECAUSE THE CARDIOLOGIST ORDERED NO HEAVY LIFTING AND I  
HAVE TO KEEP MY BLOOD PRESSURE DOWN OR MY HEART COULD BURST.  
TO KEEP MY BLOOD PRESSURE DOWN I HAVE TO ELIMINATE MY STRESS  
THE BEST I CAN. I CANNOT MAKE A 90 DAY DEADLINE WITH ALL MY

LIMITATIONS AND BE STRESS <sup>FREE</sup> AND PRODUCE AN EFFECTIVE WRIT OF CERTIORARI TO THIS COURT WITHIN 90 DAYS. I DON'T WANT TO DIE IN PRISON AN INNOCENT MAN BEFORE CLEARING MY NAME FOR MY LOVED ONES AND PUBLIC. I KNOW MY CASE HAS WHAT IT TAKES TO BE THE 1%. THIS COURT GRANTS CERTIORARI TO REVIEW. I JUST NEED MORE TIME TO TAKE IT SLOW SO I DON'T AGGRAVATE MY HEART CONDITION. MY ISSUES WOULD HELP THE ENTIRE COUNTRY THAT WERE WRONGFULLY AND KEPT IN PRISON, DESPITE FACTS AND EVIDENCE ELIMINATING ANY ELEMENTS OF THEIR GUILT. THIS PREJUDICE/BIAS AND/OR JUDICIAL VINDICTIVENESS IS COVERED UP WITH PROCEDURAL BARS. THIS BLATANT ~~DEFIANCE~~ DEFIANCE OF THE CONSTITUTION AND THIS COURT'S DECISIONS ENDORSES A FUNDAMENTAL MISCARriage OF JUSTICE.

PLEASE CONSIDER MY WRONGFULL CONVICTION OF 17 YEARS (ON 290 YEARS) HAS CAUSED SERIOUS MEDICAL PROBLEMS AND AGGRAVATED MY EXISTING MENTAL PROBLEMS BEFORE MY INCARCERATION. THIS IS MY FIRST TIME IN PRISON AND I HAD NO IDEA HOW THE LAW WORKS. DESPITE BEING UNDER A PRISON PSYCHIATRIST CARE TAKING 7 DIFFERENT TYPES OF PSYCHOTROPIC MEDICATIONS, I WENT TO TRIAL WITHOUT HAVING A COMPETENCY HEARING. MY COUNSEL WAS INEFFECTIVE BEFORE, DURING AND AFTER MY TRIAL. THE PROSECUTION INTRODUCED COUNTLESS PIECES OF FALSE EVIDENCE DURING TRIAL. I HAD NO COUNSEL FOR ANY OF MY COLLATERAL PROCEEDINGS IN STATE OR FEDERAL COURTS. BEING A PRO SE INMATE I DID NOT KNOW HOW TO EFFECTIVELY PROVE MY NUMEROUS CONSTITUTIONAL VIOLATIONS AND COUNTLESS DECISIONS MADE

IN CONFLICT WITH THIS COURT'S DECISIONS IN MY CASE. THE LOWER COURTS IGNORED THE FACTS AND EVIDENCE I PRESENTED TO SUPPORT MY MOTIONS/PETITIONS AND PROCEDURALLY BARRED MY CLAIMS, DESPITE OVERWELMING EVIDENCE OF MY WRONGFUL CONVICTION

I KNOW THIS COURT DOESN'T USUALLY APPOINT COUNSEL FOR FILING WRIT OF HABEAS CORPUS FOR PRO SE INMATES. THIS COURT ONLY PROVIDES COUNSEL TO INMATES IF HABEAS IS GRANTED. I PRAY THIS COURT COULD MAKE AN EXCEPTION IN MY CASE DUE TO THE EXTRAORDINARY CIRCUMSTANCES EXPLAINED IN THIS LETTER. I ENCLOSED A SAMPLE OF THE QUESTIONS I'M WORKING ON TO GIVE THIS COURT AN IDEA OF WHAT MY ACTUAL QUESTIONS WILL CONSIST OF. THESE ISSUES WILL HELP THE PUBLIC AND OTHER PRO SE INMATES. THERE IS A CONFLICT OF DETERMINING ACTUAL INNOCENCE BETWEEN THIRD AND FIRST CIRCUIT COURTS, AND THERE WERE DOZENS OF THIS COURT'S DECISIONS IN CONFLICT WITH THE DECISIONS OF THE U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT AND THE DELAWARE DISTRICT COURT AND BLATANTLY IN DEFIANCE OF THE CONSTITUTION. BOTH COURTS HAVE MY FILES AND EVIDENCES NO. 21-1499, 11-1115-CR 11-1115-GMS. CAN THIS COURT PLEASE APPOINT COUNSEL IN MY CASE OR APPOINT COUNSEL TO MY CASE IF SOMETHING HAPPENS TO ME OR I DIE TO STOP THE COURTS FROM DOING THIS TO OTHER PEOPLE? I WAS TOLD MY ENCLOSED QUESTIONS ARE TOO LONG AND WOULDN'T BE CONSIDERED BY THIS COURT. I'M GOING TO REDO MY QUESTIONS, BUT IT WILL GIVE THIS COURT A GENERAL IDEA WHAT I'M SEEKING COUNSEL AND WRIT OF HABEAS FOR.

## QUESTIONS PRESENTED

(1) Did the U.S. Court of Appeals for the Third Circuit endorse a Fundamental Miscarriage of Justice and/or violate Petitioner's (pro se) 14<sup>th</sup> Amendment due process rights by denying his COA and/or applying procedural bars putting Petitioner (pro se) in an inescapable prejudicial judicial cycle without counsel, by making a decision in conflict with the U.S. Court of Appeals for the First Circuit's process for determining Actual Innocence in the U.S. Court of Appeals to overturn his conviction, "When an equal theory of guilt and an equal theory of innocence is supported by the evidence on the record, the U.S. Court of Appeals must reverse a conviction?"

(2) When a Delaware Persecutor's conviction is overturned for being overzealous and knowingly (or unintentionally) uses witnesses that were not creditable to convict an innocent man, then Petitioner (pro se) after "regaining his memory" due to adverse effects from prison psychotropic medications presents Newly Discovered Evidence to the U.S. Court of Appeals for the Third Circuit that the Delaware Prosecutor suppressed evidence, vouched for witness's lying and knowingly used witnesses that were not creditable to convict Petitioner, did the Third Circuit violate Petitioner's 14<sup>th</sup> Amendment due process rights and/or endorse a Fundamental Miscarriage of Justice when every piece of testimonies that convicted him were false (Actually Innocent)?

(3) When Petitioner (pro se) was denied Habeas relief in a signed order by a Delaware District judge stating someone else's name (not Petitioner's), would his Habeas petition still be open and/or would judgment be void pursuant to F.R.C.P. Rule 60 (b)(4) to allow Petitioner (pro se) to amend his Habeas petition with Newly Discovered Evidence to correct clear errors of facts and laws that caused a "defect in the Habeas proceedings" (or granting COA?), and/or was the judge signing someone else's name and then denying relief in violation Petitioner's 14<sup>th</sup> Amendment due process rights?

**\*AMENDED DLD-244**

**September 1, 2021**

August 12, 2021

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

C.A. No. **21-1499**

BRUCE WOOD, Appellant

VS.

WARDEN JAMES T VAUGHN CORRECTIONAL CENTER; et al.

(D. Del. Civ. No. 1-11-cv-01115)

Present: JORDAN, KRAUSE and PHIPPS, Circuit Judges

Submitted are:

- (1) **\*Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1);**
- (2) Appellant's document dated May 5, 2021, in support thereof;
- (3) Appellant's document dated May 29, 2021, in support thereof; and
- (4) **\*Appellant's document dated July 30, 2021, in support thereof**  
in the above-captioned case.

Respectfully,

Clerk

ORDER

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(Continued)

BRUCE WOOD, Appellant

VS.

WARDEN JAMES T VAUGHN CORRECTIONAL CENTER; et al.

C.A. No. 21-1499

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The foregoing request for a certificate of appealability is denied. See 28 U.S.C. § 2253(c). Bracey v. Superintendent Rockview SCI, 986 F.3d 274, 278 (3d Cir. 2021). Jurists of reason would agree without debate that Appellant was not entitled to relief on his motion pursuant to Rules 60(b)(6) and (d)(3) of the Federal Rules of Civil Procedure. See Slack v. McDaniel, 529 U.S. 473, 484 (2000). To the extent that Appellant sought relief under Rule 60(d)(3), he did not meet the “demanding standard for proof of fraud upon the court.” Herring v. United States, 424 F.3d 384, 386-87 (3d Cir. 2005). To the extent that Appellant’s new evidence supports claims that were already litigated on the merits, or entirely new claims, the District Court properly determined that his purported filing was an impermissible second or successive habeas corpus application that it lacked jurisdiction to consider. See Gonzalez v. Crosby, 545 U.S. 524, 532 (2005). To the extent that Appellant’s new evidence challenges the District Court’s prior ruling that his federal habeas petition was barred by the limitations period, jurists of reason would agree without debate that none of the evidence shows “it is more likely than not that no reasonable juror would have convicted” him. McQuiggin v. Perkins, 569 U.S. 383, 394-95 (2013) (quoting Schlup v. Delo, 513 U.S. 298, 329 (1995)).

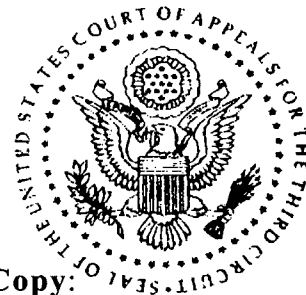
By the Court,

s/ Peter J. Phipps

Circuit Judge

Dated: September 28, 2021

Cc: All counsel of record



A True Copy:

*Patricia A. Dodszeit*

Patricia S. Dodszeit, Clerk

Certified Order Issued in Lieu of Mandate

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 21-1499

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BRUCE WOOD,  
Appellant

v.

WARDEN JAMES T. VAUGHN CORRECTIONAL CENTER;  
ATTORNEY GENERAL DELAWARE

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(D. Del. No. 1-11-cv-01115)

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SUR PETITION FOR REHEARING

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Present: CHAGARES, Chief Judge, McKEE, AMBRO, JORDAN, HARDIMAN,  
GREENAWAY, JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS,  
PORTER, MATEY, and PHIPPS, Circuit Judges

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the

circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

*s/ Peter J. Phipps*  
Circuit Judge

Date: August 1, 2022

CLW/ Mr. Bruce Wood

Elizabeth R. Mc Farlan, Esq.