

THE UNITED STATES SUPREME COURT FOR THE
UNITED STATES OF AMERICA

NYGEL DELON FREEMAN
Petitioner, Pro SE

Motion: Request for 60 day extension
of time to file Writ of Certiorari

V.

UNITED STATES OF AMERICA
Respondent,

COMES NOW NYGEL DELON FREEMAN, Petitioner Pro SE
on this the 23 day of March 2023 to ASK this Honorable Court to GRANT
this Motion and extend petitioners time to file deadline 60 more days
on his Writ of Certiorari to a date of June 5, 2023 for the following
reasons:

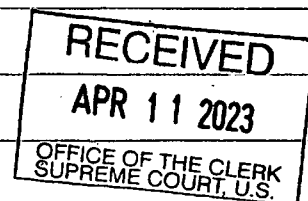
① Petitioner is in Federal Prison and is proceeding without
counsel on filing a writ of Certiorari.

② Petitioner's District Court Case NO. 5:19-LR-096-H
and his Appeal Court No. 21-11267 for the 5th Circuit.

③ Petitioner first learned of losing his direct appeal
through United States mail from a letter dated January 20, 2023.
See Exhibit A-1.

④ Petitioner immediately contacted his attorney by leaving messages,
to which the said attorney did not respond to said messages until March 8, 2023,
at which time the attorney sent Petitioner his first copy of his Briefs
and Arguments. See Exhibit B-2.

⑤ Petitioner contends that he has reasonable jurists and a
claim that is at least debatable.



⑥ Petitioner is a layman and respectfully ask this Court to grant him a 60 day extension to file his writ of Certiorari as his attorney would not involve or give him knowledge of his appeal, as petitioner did not even receive any paperwork until after March 8, 2023.

THEREFORE Petitioner respectfully Ask this Honorable Court to GRANT this Motion and extend Petitioner's time to file his Writ of Certiorari by 60 days to a date of June 5, 2023.

Respectfully Submitted *Nygel Dejon Freeman*
Date March 23, 2023 Nygel Dejon Freeman
29224-509
Federal Corrections
P.O. Box 800
Merlong, CA 96113

JAMES W. ...
Federal Public Defender

PHONE (214) 767-2746
FAX (214) 767-2886

CHRIS CURTIS
ADAM NICHOLSON
K. JOEL PAGE
J. MATTHEW WRIGHT
Assistant Federal Public Defender

January 20, 2023

Exhibit A-1

Nygel Dejon Freeman
Reg. No. 29224-509
FCI Herlong
P.O. Box 800
Herlong, CA 96113

Dear Mr. Freeman:

I am writing with unfortunate news. The Fifth Circuit has ruled against us and has dismissed your appeal. I have enclosed a copy of the court's decision for your review.

I will be filing a motion to withdraw as your attorney. You still have the right to seek further review by the Supreme Court by filing a Petition for Writ of Certiorari without prepayment of fees and costs, giving security, or filing the affidavit of financial inability specified by 28 U.S.C. § 1915(a). Any such petition must be filed no later than ninety (90) days after the issuance of the opinion in your case which in your case would make the petition due no later than April 6, 2023.

Another important date for you to consider should you decide to forego filing a petition for writ of certiorari is that you have one year from April 6, 2023, to file a motion to vacate, set aside or correct your sentence pursuant to 28 U.S.C. § 2255. If you do decide to file a petition for writ of certiorari then the one year deadline begins to run from the date the Supreme Court issues an opinion on your petition for writ of certiorari. The relevant deadlines for filing this motion to vacate, set aside or correct your sentence are found in 28 U.S.C. § 2255(f).

Should your petition for certiorari be denied, or should you choose not to file one, your next avenue of relief would be to file a motion to vacate, set aside, or correct the sentence, pursuant to 28 U.S.C. § 2255, in the district court that sentenced you. You may file this motion regardless of whether you file a petition for certiorari, but please pay attention to the deadlines. If you do not file a petition for certiorari, your "2255 motion" would be due one year from the date you could have petition for certiorari, which means no later than April 6, 2024, in your case. If you do file a petition for certiorari with the Supreme Court, the 2255 motion would be due one year from the date your petition for a writ of certiorari is denied.



Federal Public Defender
Northern District of Texas



JASON D. HAWKINS
Federal Public Defender

525 GRIFFIN ST, STE. 629
DALLAS, TEXAS 75202
PHONE (214) 767-2746
FAX (214) 767-2886

BRANDON BECK
TAV BROWN
ADAM NICHOLSON
K JOEL PAGE
J. MATTHEW WRIGHT
JESSICA GRAF
GABRIELA VEGA
Assistant Federal Public Defender

March 8, 2023

Exhibit B-2

Nygel Dejon Freeman
Reg. No. 29224-509
FCI Herlong
P.O. Box 800
Herlong, CA 96113

Re: *United States v. Nygel Freeman*, No. 21-11267

Dear Mr. Freeman,

I received your voice message on March 8, and I am including things requested in that message, along with the letters when originally mailed. A reply was not filed, nor was a rehearing petition, and Mr. Nicholson's letter explains your deadlines.

Respectfully,

Beth Guemmer
Appellate Paralegal

enclosures