

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

Ramon Ramirez,

Petitioner,

v.

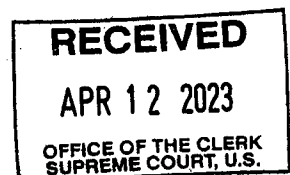
United States of America,

Respondent

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

APPLICATION TO JUSTICE SONIA SOTOMAYOR
2D CIRCUIT JUSTICE
TO EXTEND TIME TO FILE PETITION FOR CERTIORARI

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APPLICATION TO JUSTICE SONIA SOTOMAYOR
2D CIRCUIT JUSTICE TO EXTEND TIME TO FILE
PETITION FOR CERTIORARI S.C.T. R. 13.5

Relief Sought

Ramon Ramirez requests that Justice Sonia Sotomayor, Circuit Justice for the 2d Circuit, extend the time for filing for writ of certiorari to the United States Court of Appeals for the 2d Circuit in the matter of United States v. Vance Collins & Ramirez Ramons, Nos. 21-1291(L), 21-1305(Con), for a period of 60 days or from April 17, 2023 up to and including June 16, 2023.

GROUND S FOR RELIEF

1. On 10/12/2020, petitioner along with Vance Collins were convicted by a jury of murder-for-hire and conspiracy to commit murder-for-hire, allegedly in violation of 18 U.S.C. § 1958.
2. On 02/17/2022, petitioner duly appealed his conviction to the United States Court of Appeals for the 2D Circuit, which affirmed the conviction on January 19, 2023. That opinion is an unpublished one, but can be found cited as United States v. Collins, 2023 U.S. App. Lexis 1257(2023 CA2). A copy of that opinion is attached as Appendix 1.

Jurisdiction

3. The Supreme Court will have jurisdiction over this matter under 28 U.S.C. § 1254(1), because it would be acting in aid of its appellate jurisdiction over a decision from a United State Court of Appeals.

Reasons Why Relief From Time Limit Is Needed

4. Under Supreme Court Rule 13.1, time for filing of a petition for writ of certiorari in this matter expires in April 17, 2023.

5. Petitioner, a lay person, relied on his retained attorney of record before the U.S. Court of Appeals throughout the appellate process, but said attorney moved to withdraw due to petitioner's inability to pay for the services rendered as the result of petitioner becoming destitute.

6. The transcript of the record and judgment of the district court, along with the opinion and judgment of the U.S. Court of Appeals for the 2d Circuit were prepared by the Clerk of the Circuit Court and sent to petitioner's previously retained attorney.

7. When petitioner was transferred out of pretrial detention into the custody of the FBOP transport agents, he was stripped of any and all papers that said counsel did provide him throughout the court proceedings in the appellate court and most of those from the district court.

8. These records are, prerequisite to filing the petition for writ of certiorari and without them, petitioner cannot bring forth any meaningful or effective petition for review. And is currently in the process of trying to retain access to those documents and records.

9. The arrest and conviction of petitioner raises grave constitutional questions concerning the Fifth Amendment to the Constitution of the United States, as it relates to structural Due Process, where District Court lacked an essential jurisdictional element to support a showing that an interstate call in

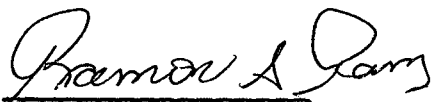
furtherance of a murder plot was made on an interstate telephone network.

10. Whether this Court's resolution of co-defendant's re-dacted out-of-court confession should be assessed in isolation In Samia v. United States, No. 22-196, 214 L. Ed. 2d 311, 2022 WL 17586973(12-13-2022) would merits a remand for consideration in light of Samia where petitioner as the non-testifying defendant's alleged confession prejudiced the Sixth Amendment Confrontational rights of co-defendant and prejudiced petitioner's 5th Amendment right to silence, by leading the jury to imply guilt by his silence during trial, where both defendants were tried together instead of by severance.

11. petitioner is currently serving a 120-month sentence.

Wherefore, based upon the aforesaid reasons, your petitioner prays that this court via Justice Sotemayor will grant him an extension accordingly.

Respectfully Submitted on 3-15-2023

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