

Supreme Court of the United States
Office of the Clerk
Washington, D.C. 20543-0101

Date: July 1 2022

Attn: Clerk

John B. Myles
#984466

One Park Row
Michigan City, TN 46360

Re: Myles v. Neal, Warden, et al U.S.C.A. ? #20-3321 and 3322
STATE CR 45004-1611-P.C.-3602

Dear Mr. Barnes:

Apparently some one in your office, or you, have made a mistake, sir. On May 12, 2020, in response to my "motion to docket" my petition for a writ of certiorari, you sent a letter which informed me that, "If you are seeking to file a motion to direct the clerk to file out-of-time, your motion must be accompanied by your petition for a writ of certiorari." (See May 13, 2020 letter attached, as exh. 1)

Mr. Barnes, my motion to file out-of-time was accompanied by my petition for a writ of certiorari. And to prove that fact, I am returning immediately the motion to file out-of-time (which includes the reason that you or another have erroneously considered my filing for certiorari to be un-timely) along with my petition for a writ of certiorari.

As you will notice, I have explained on at least three occasions (see letters attached as exh. 2) why it was not due to my negligence that my petition for certiorari was out-of-time. I explained that, prior to Dec. 7, 2021, when I first received your Sept. 17, 2021, letter wherein you explained that the rule for filing for a writ of certiorari had been changed from 90 days to 150 days, I did not receive that letter until Dec. 7, 2021.

The Court's change of rule is NOT reflected in its March 19, 2020 Rule book (see excerpt from the March 19, 2020 Rule book, attached as exh. 3). Therefore, I had absolutely no way of knowing about the new rule, until belatedly informed on December 7, 2021. The letter is dated to have been written on September

17, 2021; however, I did not get your letter until Dec. 7, 2021, and prison legal mail log confirms this fact. (See prison legal mail record, attached as ex. 4).

HAD I KNOWN I HAD 150 DAYS TO FILE FOR CERTIORARI INSTEAD OF 90 DAY FROM FINAL ENTRY OF JUDGEMENT, CERTAINLY THERE WOULD HAVE BEEN NO NEED FOR AN EXTENSION OF TIME; AND, THUS, THERE WOULD BEEN NO MIX-UP NOW.

I ASK NOW THAT THIS LETTER AND ALL OTHER LETTERS AND THE CONFIRMING EVIDENCE BE PRESENTED TO THE CIRCUIT JUDGE, IF THE CLERK STILL FIND MY PETITION OUT-OF-TIME. THANK YOU, SIR.

ATTACHED ALSO ARE THE OCT. 18, 2021 AND NOV. 16, 2021 LETTER WHICH INQUIRED ABOUT WHY IT WAS TAKING SO LONG FOR CLERK TO RESPOND TO MOTION FOR EXTENSION OF TIME (EX. 5 AND 6)

Respectfully Submitted,

John B. Myles
pro se

"I swear under penalty for perjury that the foregoing is true and correct"