

No. _____

In the

Supreme Court of the United States

David McWherter -- Petitioner

vs.

Lorie Davis, Director -- Respondent
of T.D.C.J.-I.D.

MOTION TO DIRECT THE CLERK

TO FILE THE PETITION OUT OF TIME

For the following reasons:

1. The Petition was originally filed before Aug. 16, 2016. Inmate was indigent and a hardcopy and computer records will show postage deducted from his account. These records also show where the mail was sent.
2. All indigent legal mail must be submitted to law library supervisor, who sends it to the unit mailroom. The law library's rules and their records support these facts.
3. When petitioner received his stimulus check, these funds were minus the indigent mail charges. The trust fund account records prove this.
4. When state officials stole the original Writ they stole all my paperwork as well.

I declare under penalty of perjury that the foregoing is true and correct.

David McWherter
Signature

2-1-23
Date