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PROVIDED TO HARDEE CORRECTIONAL
INSTITUTION ON 8-4-23

INMATE LEGAL MAIL FOR MAILING

UNITED STATES
WASHINGTON D.C

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SUPREME COURT U.S.

JAMES EARL DOWNS (IN PROPRIA PERSONA),
Petitioner,

CASE No.: T.B.A.

v.

Lower Tribunal Case No(s):

RICHARD D. DIXON, Secretary

FLASC23-0694; 6D23-1095;

FLA. Dept. of Corrections; STATE

CF92-00048DX BXMX

OF FLORIDA
Respondent(s).

MOTION FOR EXTENSION OF TIME

NOW COMES the Petitioner, JAMES EARL DOWNS, in propria persona (hereinafter "Petitioner"), in pro se fashion in the above captioned case, and respectfully moves this Honorable Court for an Order extending the time in which he must file His Petition for Writ of Certiorari, for a period of (60) days up to and including the month of November, 2023. In support thereof, Petitioner states the following:

- 1.) The Petitioner is a Prisoner as defined by § 944.02(6), Florida Statutes (2014), and is presently in the custody of the Florida Department of Corrections residing in Close Management status at Hardee Correctional Institution, 6901 State Road 62, Bowling Green, Florida 33834.

- 2.) Petitioner is due to file with the Court and serve on Respondent his Petition for Writ of Certiorari on or before the month of September 4, 2023.

- 3.) Petitioner asserts that due to his current status of being on Close Management (i.e. 24/7 lockdown in cell unit) at Hardee Correctional, he has no access (directly) or time afforded to him for use of the prison law library whereas, given his current Confinement Status on Close Management Petitioner asserts herein that He will need additional time in which to
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properly prepare and timely file the afore-mentioned Certiorari Petition to His Cause. Given the complexity of the issues, whereas, given Petitioner's present state of being on Close Management Status with no direct access to the prison law library, and being segregated from general population, and the law clerk assigned to "make rounds" on Close Management comes to confinement one time a week (Friday) and even that is not guaranteed for the law library clerk to come to confinement even on that day designated for the law library to see inmates whom are on close mgmt. status. Given the complexity of the issue he needs more time, and to obtain assistance from an inmate law clerk to conduct adequate legal research and to gain full assistance and prepare his legal findings and properly file His cause of petition for Writ of Certiorari pursuant to the standards set forth by law.

4.) This Court, upon good cause shown and in its discretion, may enter an Order extending the time for the Petitioner to file his Petition for Writ of Certiorari for a period of (60) days up to and including November 4th, 2023.

5.) This motion is made in good faith, and not for the purpose of delay.

6.) Petitioner states that His close management status, and segregated confined status at Hardee Correctional Institution does not enable Him to contact opposing Counsel to determine if there's any disagreement with this Court granting Him request for more time.

WHEREFORE, the Petitioner respectfully moves the Court to grant this motion extending time for filing His Certiorari Writ for a period of (60) days up to and including November of 2023.

Respectfully Submitted

James Earl Downs (pro se in propria persona)

JAMES E. DOWNS # 762100

Hardee Corr. Inst.

6901 State Road 62

Bowling Green, Florida 33834-9505

CERTIFICATE FOR MAILING

I HEREBY CERTIFY that I, JAMES EARL DOWNS #762100 (pro se) in propria persona placed this motion for Extension of Time in the hands of the mailroom clerk at Hardee Correctional Institution for mailing to: United States Supreme Court, OFFICE OF THE CLERK Washington, D.C. 20543-0001 on this (4th) day of August, 2023

1st James Earl Downs (pro se in propria persona)

James E. Downs
#762100

Hardee Correctional Inst.
6901 State Road 62
Bowling Green, Florida 33834

PRO SE LITIGANT

COMES NOW, Petitioner submits this extension of time motion as a prisoner pro se litigant unskilled in the science of law and prays his Motion For Extension of Time and entreaties to this Court be received as such. A pro se litigant's pleadings are to be construed liberally and held to less stringent standard than formal pleadings drafted by lawyers. See Hall v. Belmon, 935 Fed 1106 (10th Cir. 1991); Boag v. Mc Dougall, 454 U.S. 363 (1982); Haines v. Kerner 404 U.S. 519 (1972); Gangloff v. Rocca, 888 Supp. 1549 (Mid Fla. 1995)

James E. Downs (pro se)
James E. Downs (pro se)
#762100

Hardee C. I.
6901 St. Rd. 62
Bowling Green, Fla. 33834