

PEDRO RODRIGUEZ 19745493  
VISTA DETENTION FACILITY  
325 S. NELOSE DR.  
VISTA CA 92081  
N3-16

NO

IN THE SUPREME COURT OF THE UNITED STATES  
JANUARY 2024 TERM

PEDRO RODRIGUEZ

PETITIONER - APPELLANT

v

KATHLEEN ALLISON

RESPONDENT - APPELLEE

USCA # 22-55907

PETITION FOR WRIT OF HABEAS CORPUS TO THE  
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

MOTION REQUEST FOR 60 DAY EXTENSION

28 USC § 2101(c); US SUP CT R. 13.5

PEDRO RODRIGUEZ, IN PRO SE  
VISTA DETENTION FACILITY  
325 S. NELOSE DR.  
VISTA CA 92081  
N3-16

1 OF 3

DECLARATION IN SUPPORT OF MOTION

I PEDRO RODRIGUEZ AM THE PETITIONER/APPELLANT  
IN THIS CASE. I HEREBY STATE AS FOLLOWS IN SUPPORT  
OF THE WITHIN REQUEST FOR EXTENSION OF TIME OF 60 DAYS  
TO FILE PETITION FOR CERTIORARI IN THIS COURT

TITLE 28 USC § 2101 (C); US SUP CT. R. 13.5

1 PETITIONER'S MOTION REQUEST FOR CERTIFICATE OF APPEALABILITY  
WAS DENIED 10/25/23 IN U.S.C.A. 9<sup>TH</sup> CIR CASE# 22-55907  
PETITIONER BELIEVES UNIT OF CERTIORARI IS DUE  
STARTING 25, 2024

2 PETITIONER'S CLAIMS ARE BASED ON CONTINUED  
CONFINEMENT ON SAME AGGREGATE SENTENCE OF  
30 YEARS AFTER BEING PAROLED 9/30/21, CLAYTON  
V BITER 868 F3d 840 (2017) fn. 2, "FEDERAL  
DUE PROCESS CHALLENGES TO STATE ADJUDICATIONS OF  
STATE SUBSTANTIVE RIGHTS ARE GENERALLY COGNIZABLE."  
(WYHABEAS) SUMTHOM V COOKE 562 US 216, 221 (2011).  
PETITIONER IS SERVING CONSECUTIVE 16 YEARS MISDEMEANOR  
INDIRECT CONTEMPT OF COURT.

3 PETITIONER IS STILL IN CUSTODY INSPITE OF BEING  
PAROLED FROM STATE PRISON 9/2021 PER ATTACHED 'A'  
EXAMPLE OF PREVIOUS CONDUCT, PETITIONER'S PRESENT SANCOR  
SAN DIEGO SHERIFFS DEPT ARE NOT DELIVERING INCOMING  
OR OUTGOING MAIL. AS OF MID DECEMBER UPON INFORMATION  
AND BELIEF THE 9<sup>TH</sup> CIR COURT OF APPEALS HAVE NOT  
RECEIVED PETITIONER'S PETITION FOR HEARING END BANC,  
TIMELY FILED IN NOVEMBER 2023

2073

4 ATTACHMENT 'A' ARE EXAMPLES OF MAIL RETURNED TO SENDER INCLUDING MAIL RETURNED TO SAN DIEGO SHERIFFS DEPT., PETITIONERS SILENCE.

5. THE 9<sup>TH</sup> CIRCUIT INCORRECTLY RULED PETITIONER WAS CHALLENGING CONDITION OF CONFINEMENT WHEREAS PETITIONERS SUBSTANTIVE AND PROCEDURAL DUE PROCESS RIGHTS ARE BEING VIOLATED. PETITIONER IS FINISHED BUT STILL HELD IN CUSTODY ON SAME AGGRAVATED SENTENCE.

6. PETITIONER IS DISHONORING SUFFERING NEUROPATHY OF HANDS AND HAS HARD TIME WRITING.

### CONCLUSION

FOR THE REASONS HEREIN THE PETITIONER RESPECTFULLY REQUESTS AN EXTENSION OF 60 DAYS TO FILE PETITION FOR WRIT OF HABEAS CORPUS TO AND INCLUDING MARCH 26, 2024

RESPECTFULLY SUBMITTED  
PEDRO RODRIGUEZ  
IN PRO SE

12/30/23



ATTACHMENT 'A'

ATTACHMENT 'A'

ATTACHMENT 'A'  
EXAMPLES OF  
MHC RETURNED  
TO SENDER

# Proof of service

I Pedro Rodriguez DECLARE;

I Am over 18 years of AGE AND A PARTY TO THIS ACTION. I Am Present at VISTA DETENTION FACILITY

325 S. MICHIGAN DR.

VISTA CA 92081

N3-16

On 12/30/23

I SIGNED THE ATTACHED MOTION REQUEST FOR 60 DAY EXTENSION OF TIME ON THE PLEADINGS HERETOBY BEING TRUE AND CORRECT COPIES THEREOF ENCLOSED IN A PREPAID ENVELOPE HAND DELIVERED TO SHERIFFS DEPT FOR MAIL TO

SUPREME COURT OF THE UNITED STATES

SUPREME COURT BUILDING

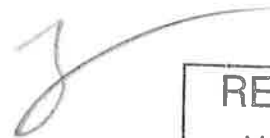
1 FIRST NORTHEAST

WASHINGTON DC 20543

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT

EXECUTED 12/30/23

Pedro Rodriguez  
is present



RECEIVED

JAN 12 2024

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

VERIFICATION

CASE RODRIGUEZ V ALLISON

I PEDRO RODRIGUEZ DECLARE,  
I AM THE PETITIONER IN THE ABOVE-ENTITLED MATTER.

I HAVE READ THE FOREGOING MOTION REQUEST FOR  
60 DAY EXTENSION AND KNOW THE CONTENTS THEREOF.

THE SAME IS TRUE OF MY OWN KNOWLEDGE, EXCEPT  
AS TO THOSE MATTERS WHICH ARE THEREIN STATED  
ON INFORMATION AND BELIEF, AND, AS TO THOSE MATTERS  
I BELIEVE IT TO BE TRUE.

EXECUTED ON 12/30/23 AT VISTA DETENTION  
FACILITY, SAN DIEGO COUNTY, CALIFORNIA.

I DECLARE (ON OATH) UNDER PENALTY OF  
PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

RESPECTFULLY SUBMITTED  
PEDRO RODRIGUEZ  
IN PRO SE

12/30/23

