

No. _____

JOVAN MARQUIS HARRIS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

PETITIONER'S MOTION FOR AN EXTENSION OF TIME

NOW COMES the pro se petitioner, Jovan Marquis Harris, an inmate in the custody of the federal Bureau of Prisons (BOP) and hereby moves the Honorable Court pursuant to Rule 13.5 of the Rules of the Supreme Court of the United States for an extension of time to file a petition for a writ of certiorari from the final judgment of the United States Court of Appeals for the Eighth Circuit entered on January 23, 2024. See Appendix at pg. 1. In support thereof, Petitioner states as follows:

Following Petitioner's conviction in United States of America v. Jovan Marquis Harris, case no. 3:16-cr-00272 (D. North Dakota), Petitioner filed a motion to vacate, set aside, or correct judgment in Jovan Marquis Harris v. United States of America, case no. 3:22-cv-00178-PDW, which the District Court denied and declined to grant Petitioner a certificate of appealability. Petitioner then filed an application for a certificate of appealability with the Eighth Circuit Court of Appeals, which denied the application in

a judgment dated January 23, 2024. *Jovan Marquis Harris v. United States of America*, appeal no. 23-3355 (8th Cir. 01/23/2024). See Appendix pg. 1.

Since that time, Petitioner has been working diligently on preparing a petition for a writ of certiorari challenging the Eighth Circuit's decision. Unfortunately, Petitioner is currently housed by the BOP at the federal correctional institution located in Thomson, Illinois (FCI-Thomson).

FCI-Thomson is the re-purposed Administrative United States Penitentiary (AUSP-Thomson). While FCI-Thomson is technically a low security institution, no structural changes were made to the facility when its mission statement was changed. As a result, there are approximately 2,000 inmates attempting to utilize a combination leisure/law library that has a maximum occupancy of 32 inmates. Even if Petitioner is lucky enough to be one of those first 32 inmates, there are only 5 law library computers and 5 typewriters. Compounding this problem is the commissary is routinely out of stock of the materials necessary for preparing the petition. As an example, the commissary was recently out of typewriter ribbons, correction tapes, typewriter paper, and pens. The bottom line is despite petitioner's best efforts, he needs additional time to complete his petition for a writ of certiorari.

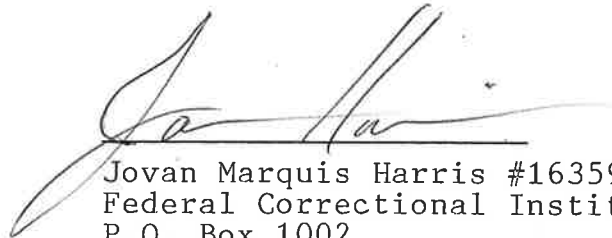
Petitioner anticipates having the petition completed within the next week, however, given the number of uncertainties at FCI-Thomson (the other day the institution was locked down due to the solar eclipse and another day because of a threat of severe weather), Petitioner would ask the Court to grant him the

full 60 days authorized by Supreme Court Rule 13.5 with the understanding that Petitioner will submit his Petition as soon as it is finished. Again, this is anticipated to be within the next week or so if there are no further delays caused by the operation of FCI-Thomson.

CONCLUSION

WHEREFORE, the *pro se* petitioner, Jovan Marquis Harris, hereby respectfully moves the Honorable Court pursuant to Supreme Court Rule 13.5 to grant Petitioner up to an additional 60 days to file his petition for a writ of certiorari, which would make his filing deadline no later than May 21, 2024.

Respectfully submitted this 12th day of April 2024 by:



Jovan Marquis Harris #16359-059
Federal Correctional Institution
P.O. Box 1002
Thomson, Illinois 61285

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 23-3355

Jovan Marquis Harris

Petitioner - Appellant

v.

United States of America

Respondent - Appellee

Appeal from U.S. District Court for the District of North Dakota - Eastern
(3:22-cv-00178-PDW)

JUDGMENT

Before LOKEN, SHEPHERD, and GRASZ, Circuit Judges.

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. Appellant's motion for leave to proceed on appeal in forma pauperis is denied as moot. The appeal is dismissed.

January 23, 2024

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

No. _____

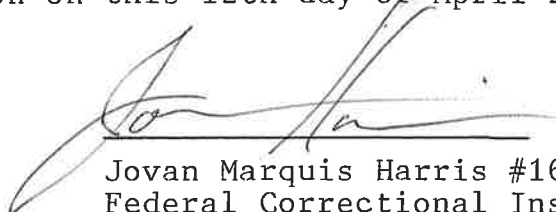
JOVAN MARQUIS HARRIS,
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v.

UNITED STATES OF AMERICA
Respondent.

CERTIFICATE OF SERVICE

The pro se petitioner, Jovan Marquis Harris, hereby certifies under the penalty of perjury that he served a true and correct copy of PETITIONER'S MOTION FOR AN EXTENSION OF TIME on the U.S. Solicitor General's office by placing said copy in a first-class postage prepaid envelope and deposited same in the "legal mail" system at FCI-Thomson on this 12th day of April 2024.



Jovan Marquis Harris #16359-059
Federal Correctional Institution
P.O. Box 1002
Thomson, Illinois 61285

