

IN THE SUPREME COURT OF THE UNITED STATES

KEITH DAVIS :  
PETITIONER :  
V. : NO.: USAP3 22-1581  
: :  
SUPERINTENDENT, ET. AL. :  
RESPONDENTS : :

**MOTION TO DIRECT THE CLERK TO FILE THE PETITION OUT OF TIME**

NOW COMES, KEITH DAVIS, PRO SE PETITIONER, RESPECTFULLY SUMMITTING THIS MOTION AND OFFERS THE FOLLOWING IN SUPPORT:

- 1) I FILED A PETITION FOR A WRIT OF CERTIORARI ON 08-14-2023.
- 2) THE REASON MY PETITION WAS/IS FILED OUT OF TIME IS DUE TO THE FACT THE THE THIRD CIRCUIT COURT OF APPEALS DID NOT NOTIFY ME OF THEIR DENIAL FOR REHEARING UNTIL 06-21-2023.
- 3) I HAD NO KNOWLEDGE OF THEIR DENIAL PRIOR TO 06-21-2023 AND FILED MY PETITION WITHIN 90 DAYS OF THAT DATE.
- 4) ATTACHED HERETO ARE: (A) MY REQUEST TO THE MAILROOM HERE AT SCI-HOUTZDALE AND (B) THE MAILROOM'S RESPONSE INDICATING THAT I DID NOT RECEIVE ANY MAIL FROM THE THIRD CIRCUIT UNTIL 06-21-2023.

WHEREFORE, IT IS RESPECTFULLY MOTIONED THAT THIS HONORABLE COURT TO DIRECT THE CLERK TO FILE MY PETITION OUT OF TIME.

DATE: 1/7/24

/S/ Keith Davis  
KEITH DAVIS

