

SUPREME COURT OF THE UNITED STATES

ANGELA DAWN MILLER,
Petitioner

v.

**Federal Court Civil Action No. 5:20-cv-00661
No. 22-7180**

J. D. SALLAZ, Superintendent,
Lakin Correctional Center and Jail,
Respondent

Motion to File Out-Of-Time

Comes this day Angela Dawn Miller, Pro se and moves this Honorable Court to allow her PETITION FOR A WRIT OF CERTIORARI to the SUPREME COURT OF THE UNITED STATES to be filed out-of-time. Petitioner understands the order was electronically filed October 24, 2023. However, Petitioner did not receive notice of the order at the facility via US Mail until November 2, 2023. That was nine (days) for the order to travel from Washington, D.C. to West Columbia, WV. By this Honorable Court's own calculation, the Petition took nine days from West Columbia to D. C. as it was postmarked January 31, 2024 and arrived at the Supreme Court February 9, 2024 - nine (9) days in the US postal system. Petitioner does not know why the US Postal Service is taking longer and is inconsistent, but she prays this is taken into consideration.

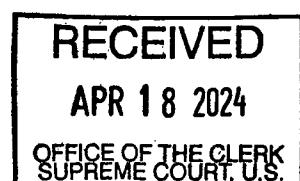
Receiving the order November 2, 2023 would start the 90 day calculation November 3, 2023. Ninety days would have a federal mailbox deadline of Thursday, February 1, 2024. The Petition was postmarked January 31, 2024. *Mar 27th letter received 4/4/24. Back to mailroom 4/5.*

Wherefore Petitioner requests the Motion to File Out-Of-Time be granted.

Respectfully Submitted,

Angela Miller 3354250

Angela Dawn Miller, OID # 3354250



FILED: October 24, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-7180
(5:20-cv-00661)

ANGELA DAWN MILLER

Petitioner - Appellant

v.

J. D. SALLAZ, Superintendent

Respondent - Appellee

O R D E R

The petition for rehearing en banc was circulated to the full court. No judge requested a poll under Fed. R. App. P. 35. The court denies the petition for rehearing en banc.

For the Court

/s/ Nwamaka Anowi, Clerk

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

March 27, 2024

Angela D. Miller
#3354250/A-13
11264 Ohio River Road
West Columbia, WV 25287

RE: Miller v. Sallaz, Supt.
USCA4# 22-7180

Dear Ms. Miller:

The above-entitled petition for a writ of certiorari was originally postmarked January 31, 2024 and received again on March 20, 2024. The papers are returned for the following reason(s):

They are returned for failure to reflect the changes requested in prior correspondence.

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was October 24, 2023. Therefore, the petition was due on or before January 22, 2024. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

You may resubmit your petition along with a motion to direct the Clerk to file out-of-time.

Sincerely,
Scott S. Harris, Clerk
By: 
Redmond K. Barnes
(202) 479-3022

Enclosures

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

February 14, 2024

Angela D. Miller
#3354250/A-13
11264 Ohio River Road
West Columbia, WV 25287

RE: Miller v. Sallaz, Supt.
USCA4# 22-7180

Dear Ms. Miller:

The above-entitled petition for a writ of certiorari was postmarked January 31, 2024 and received February 9, 2024. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was October 24, 2023. Therefore, the petition was due on or before January 22, 2024. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

Sincerely,
Scott S. Harris, Clerk
By:

Redmond K. Barnes
(202) 479-3022

Enclosures