

PROVIDED TO MARTIN
CORRECTIONAL INSTITUTION
ON 4.2.24
FOR MAILING (LS)

CASE NO:

SUPREME COURT OF THE UNITED STATES

JOHN DAVID WILSON JR.,
PLAINTIFF / APPELLANT

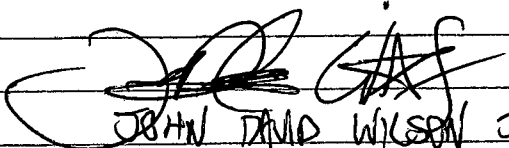
VS.

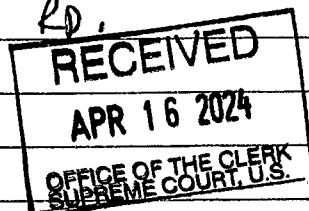
SECRETARY DEPARTMENT OF CORRECTIONS; ATTORNEY GENERAL
STATE OF FLORIDA; S. CUMBI; T. VAN ANTWERP; CORIZON
HEALTH SERVICE

NATURE OF THE PROCEEDING, AND THIS ACTION IS BROUGHT FROM:
42 USC § 1983 VIOLATION OF 38 USC § 5301 NON-ASSIGNABILITY.
FROM THE ELEVENTH CIRCUIT COURT OF APPEALS

MOTION TO DIRECT THE CLERK TO FILE A PETITION FOR WRIT
OF CERTIORARI OUT-OF-TIME.

RESPECTFULLY SUBMITTED


JOHN DAVID WILSON JR., #0-T24940
MARTIN CORRECTIONAL INSTITUTION
1150 S.W. ALAPATTAH RD.
INDIAN TOWN FL. 34956



COMES NOW THE PLAINTIFF, JOHN DAVID WILSON JR.,
PRO-SE, PURSUANT TO EXHIBIT, (EX), "E" COURT ORDERS.
RESPECTFULLY REQUESTING THIS HONORABLE COURT LEAVE, PERMISSION
INDULGENCE AND PATIENCE TO FILE A MOTION TO DIRECT THE
CLERK TO FILE A PETITION FOR WRIT OF CERTIORARI OUT-
OF-TIME; ALSO, ENCLOSED IS A WRIT OF CERTIORARI, AND
APPLICATION FOR IN FORMA PAUPERIS.

ON OR ABOUT APRIL 3, 2023, THE ELEVENTH CIRCUIT
(11th CIR.), DENIED MY TIMELY MOTION FOR REHEARING AND
REHEARING EN BANC.

DUE TO A CONSTITUTIONAL VIOLATION OF INEFFECTIVENESS
ASSISTANCE OF COUNSEL. WHEREBY MY COURT APPOINTED ATTORNEY/
; SEE EX "D" COURT APPOINTING COUNSEL, FAILED TO FILE A
OR ANY APPEAL AFTER THE 11th CIR. DENIED REHEARING, IN
VIOLATION OF WELL ESTABLISHED CONSTITUTIONAL LAWS AND
PROCEDURE.

I RESPECTFULLY REQUESTED MY ATTORNEY TO FILE A TIMELY APPEAL.

I FURTHER RESPECTFULLY REQUEST A OPPORTUNITY TO BE HEARD,
AND WILL SHOW THE FOLLOWING, WHICH WILL CONVINCE THIS HONORABLE
COURT TO ALLOW A MOTION TO DIRECT THE CLERK TO FILE A PETITION/
FOR WRIT OF CERTIORARI OUT-OF-TIME.

ON OR ABOUT APRIL 3rd 2023, THE 11th CIR. DENIED REHEARING.
MY COURT APPOINTED COUNSEL FAILED TO FILE ANY NOTICE OF APPEAL.

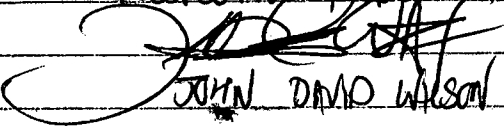
2) EXTRAORDINARY CIRCUMSTANCE EXISTS, IF CONSIDERED THIS COURT WILL GRANT THIS MOTION TO DIRECT THE CLERK TO FILE A PETITION FOR WRIT OF CERTIORARI OUT-OF-TIME

3) FOR THESE REASONS COMPLETELY OUT OF MY CONTROL, WHICH MADE FILING A TIMELY APPEAL IMPOSSIBLE.

4) I RESPECTFULLY REQUEST THIS COURT TO GRANT THIS MOTION TO DIRECT THE CLERK TO FILE A PETITION FOR WRIT OF CERTIORARI OUT-OF-TIME, AND IN THE INTEREST OF JUSTICE. THIS APPEAL IS NOT UNDERTAKEN FOR DELAY THE TRIAL PROCEEDINGS.

WHEREBY BASED ON THE ABOVE MENTIONED INEFFECTIVE ASSISTANCE OF COUNSEL, OF MY COURT APPOINTED COUNSEL FAILING TO FILE A TIMELY OR ANY NOTICE OF APPEAL. I PRAY THAT THIS COURT GRANTS THIS MOTION TO DIRECT THE CLERK TO FILE A PETITION FOR WRIT OF CERTIORARI OUT-OF-TIME.

RESPECTFULLY SUBMITTED


JOHN DAVID WILSON JR #0-721940
MARTIN CORRECTIONAL INSTITUTION
1150 S.W. ALUPATTAH RD
INDIAN TOWN FL 34956

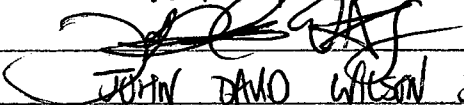
STATEMENT IN COMPLIANCE

I RESPECTFULLY SUBMITTED THIS PLEADING PURSUANT TO 28 USC §1746
SETTING OUT THE DATE DEPOSIT, AND STATING THAT FIRST-CLASS
POSTAGE HAS BEEN PREPAID FOR MAILING ON 2 DAY OF APRIL
2024.

I CERTIFY THAT THIS HAND WRITTEN ~~RE~~ MOTION TO DIRECT
THE CLERK TO FILE A PETITION FOR WRIT OF HABEAS CORPUS
OF-TIME COMPLIES WITH THE TYPE - VOLUME LIMITATION OF
FED. R. APP. P. RULE 32(a)(7).

THIS PETITION IS HAND WRITTEN AND CONTAINS 315
~~305~~ WORDS

RESPECTFULLY SUBMITTED


JOHN DAVID WILSON JR #0-721940
MARTIN CORRECTIONAL INSTITUTION
1150 S.W. ALAPATTAH RD.
INDIAN TOWN FL, 34956