

Motion To Direct the Clerk of Courtto File the Petition of Certiari out of Time under
Supreme Court Rules 30.4. & 13.5

Ronald Collins Jr.

v.

Case No. USAP4 22-736

United States of America

Jurisdiction under Rule 13. Review on Certiorari:

Rule 13. “*5. For Good Cause, a Justice may extend the Time to file a petition for a writ of Certiorari for a period not Exceeding 60 Days.*”

Furthermore, Articleor Subsection 5 goes on to state, “*The application must be filed with the Clerk at least 10 days before the date the petition is due, except in extraordinary circumstances.*”

I am arguing that these are **Extraordinary Circumstances that justify a granting an extension post deadline**. That a review of the motion would prompt any Justice to Review this Motion to Extend the Time to File my Petition for Certirari.

I am request as part of this Motion that the Cerk of Court for the United States Supreme Courtm Sara S. Harris, make a Copy of this Motion and the attached filing for my Petition for Certiorari to each Supreme Court Justice.

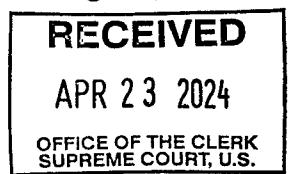
That the **Extraordinary Circumstances** requires Clerk Sara S. Harris to bring this motion and evidence supporting the showing of these extraordinary circumstances in the Petition of Certiorari of Criminal Abuses of Constitutional Authority that it is criminal, tyrannical and, could be considered even insurectionist. That is Sare S. Harris does not pass this ensure that each Supreme Court Justice individually to Rule on, she could be considerd an excessory to the fact. That should any Justice Rule against it that likewise could be considered an excessory to the fact.

This isa Clear Request under Rule 30.4 “*The motion may be acted on in the first instance, and any party aggrieved by the Clerk's action may request that the Motion be submitted to a Justice or the Court. The Clerk will report action under this paragraph to thy Court as instructed.*”

The Clerk file the Petition, and to send copies of the Petition to each Justice the United States Supreme Court, if the Clerk does and/or does not file the Peition for Certiorari out of Time.

Arguement for Granting Motion for Extention of Filing Time Post Deadline:

I am arguing that the Judicial Review this Motion I am seeking to exhaust all Judicial and means of resolution to a Criminal and Unconstituunal Abuse of Authority by the United States, having rejected the Statutory Requirements of the Law at All Levels of the Judicial Process from unconfirmed level of Gross Incompitence ranging from Criminal Misconduct lending and Incompitence at every level that remove the District Court Judge, two U. S. Magistrates, ATF Agents,



Federal Public Defenders and Federal Prosecutors, to violate the Constitution of the United States of America, the Statutory Laws of the United States of America, the Higher Court Rulings.

Those Extraordinary Circumstances are;

- I was charged with Terrorist Threats in 2012, and the Raliegh County Prosecutor failed to turn over the evidence required by **WV State Code 27-6A-2 (b)** when she request I have a Psychological Evaluation, the Doctor examining me had no idea what my charges or what the facts of my case was. Which was a Violation of **West Virginia Code 61-5-27A (b) (c) (f) (g)** that resulted in further proceedings that where a Felony under the Stave Law.
- I was found Compitent and Released from a Temporarty Commitment after I had filed a Habeas Challenge to the Fraudulent Proceedings by Kristen Keller, and under **West Virginia Code 27-5-4** outlines the proceedings for a Final Commitment Proceedings which I was never subject too, **West Virginia Code 61-7A-3** covers who is on the State Mental Health Registry and **West Virginia Code 27-5-9 (a)** Specifically states “... *Involuntary Commitment pursuant to this article does not of itself relieve the patient of legal capacity.*”
- Nor, did Court duely notify me as require by **West Virginia Code 61-7-7 (a) (4)**, by notice during Commitment Hearing or in the Commitment Order.
- So in 2018, the Petitioner bought a gun, and passed a Federal Background Check for his firearm. I was later stopped by a West Virginia State Trooper and ha my handgun on me, the Trooper Gilkenson, who conducted another Background Check through the National Instant Background Check System. Trooper Gilkerson later arrested me under state law, which was in and of itself a violation of **West Virginia Code 61-5-27A (b) (c) (f) (g); Fraudulent Filing and Fraudulent Legal Proceedings**, as well Federal Statute **18 U.S.C. 1001 (a) (1)** a felony carrying up to 5 years.
- Federal Statute **18 U.S.C. 927**, specifically states the intent of Congress not to Preempt State Laws. Making the Violations of State Law by the Raliegh County Prosecutor to unlawfully influence the Examiner to make a mistaken diagnosis of incompetency. That the matters of State Law where admissible under rules of evidence and **Brady v. Maryland**, and that the District Court and my Public Defender, with the Federal Prosecutor's Office appeared to Conspire to conceal this evidence.
- That knowing the Commitment was baed on a Fraudulent Criminal Action, False Evidence, and that Higher Court Rulings like **Brady v. Maryland**, **Mapp v. Ohio**, and basic principles of Due Process my Public Defender concealed these illegal actions. That Judge Irene Berger knowing allowed my Public Defender to hide evidence, and that the Prosecutor knowingly used false evidence and allowed false Testimony from West Virginia State Trooper Gilkenson to mislead the Jury about why I passed two NICs Background checks. And why David Bungard my F.P.D. Mentioned the violation of **WV Code 27-6A-2 (b)** in the his written, and the Habeas Corpus Challenge.
- And, that Petitioner had written Judge Berger informing her of the Unconstitutuonal and deilberate sabotage of my case, that I have written and addressed how my Appeals Attorneies would not address the Requirements of State Law being an Issue under **18 U.S.C. 927**, how there are Court Records with the Fourt Circuit Court of Appeals.
- That regardless of the claim, that I filed the **28 U.S.C. 2255** Motion late, the Petitioner did not

have the funds to Purchase a Means to have his **28 U.S.C. 2255 Motion** to be tracked to show he had filed while in Federal Prison. So the District Court Clerk claims that they did not receive it, cannot be challenge except by the claim from the Petitioner. Neither the District Court nor the Fourth Circuit Appeals Court addressed the Petitioner's argument (sent with the material in support of the Petitioner's motion and Petition for Certiorari that his second **28 U.S.C. 2255 Motion** is timely under as under the Statutory Requirements of **18 U.S.C. 927**, not to Supercede State Law, the access to state law would count as New Evidence under **18 U.S.C. 2255 (f) (1)**, show that a 1-Year Statute of Limitations began at the date the Petitioner was released to the Dismas Charities Halfway House under Bureau of Prison guidance custody and had access to State Law (easy to check with the Lexus Nexus Contract for the Law Library Computers in FCI Elkton and FCI Fort Dix that will only show a Service Listing for Federal Law).

- That after the U-Joint of my Drive Shaft Broke and the Drive Shaft damage the Transmission of my vehicle, having to miss work and pay for court costs, after just having to get my Rear Suspension fixed, automotive and having to make up for lost hours by working overtime and, I placed under such a financial burden and restriction access to getting things filed I simply was plagued under too many burdens for my time and miscalculated when the deadline to file the Petition for Certiorari was to be made.
- Not to mention the emotional and mental trauma that filing such such papers places me under, that adds to the Physical demands of hard physical labor working in a Saw Mill for 8 (to sometimes 16 hours days), physical needs for rest to have the mental facilities to be a Layman Pushing navigating a District and Appellee Court that is deny me Due Process and, the make an argument.

I am arguing that the Situation is so Extreme and so Extraordinary, that unless the any or all of the United States Supreme Court Justices (it only takes one) grant this Motion for

The Overt acts of Corruption that calling into Question the Integrity and Morality of the Supreme Court Justices to allow these Constitutional Violations to Stand across the multiple channels, and areas of the Federal Courts. The very Ethical Judgement of the Supreme Court Justices to address these Blatant Criminal Violations. And that I feel, I must take advantage of this Motion to Expose the Sealed Documentaion.

That I am taking advantage of this motion, to call into question the Ethics of the Whole of the Federal Court System and open each Justice investigation in an Impeachment proceeding, to turn this motion and my First Amendment Exposure of Criminal Abuses of Authority to determine whether the **Rule 13**.

*5. "For Good Cause, a Justice may extend the Time to file a petition for a writ of Certiorari for a period not Exceeding 60 Days... " , "The application must be filed with the Clerk at least 10 days before the date the petition is due, except in extraordinary circumstances." of whether an Actual Innocence Claim under *McQuiggens v. Perkins*, requires the Appellee Court to review the facts of the case to Rule on Actual Innocence, or if State Law in regard the Federal Jurisdiction under **18 U.S.C. 927**, started the 1-Year Statute of Limitations of **28 U.S.C. 2255 (f) (1)**, the original 28 U.S.C. 2255 motion was timely.*

All that I am asking the Court for is the Due Process and the Right to have a Fair Hearing, that I am Constitutionally promised, if I am Showing you and the World, in an attempt to expose this Criminal Abuse of Authority is all I have... So be it, I doing what I feel is right, not only for myself, for

due justice, but, to prove that the system can and does work, if you are willing to use it to make it work.

I am asking you, Justices as Individuals, as men and women who swore to Protect the Constitution, and as people of good Conscense to grant this Motion for a Ex Post Facto Extension of the Filing Deadline for my Petition of Certiorari, at the very least this the first case that I am aware of the address 18 U.S.C. 927 to the United States Supreme Court, sets a novel precedent for the Second Amendment and Potentially for a State's Rights to Regulate Firearms at the most individual level.

I am asking for each Justice to take personal responsibility in that will be made aware of the Criminal violations of the Constitution and Federal Statutes by the ATF, Federal Prosecutors Office, Federal Public Defenders Office, and the Fourth Circuit Court of Appeals, so that I can make all Sealed documentaion of this public to discredit the Constitutional Authority of the Judicial Branch of the United States Government. Thus, justifying whatever Civil Disobedience, I feel is justified in protest against these Criminal Abuses of Authority, by showing that I took deliberate steps to resolve the matter through Due Process.

Signed:



Date: 4-19-23

Ronald Collins Jr, Pro Se