

FEDERAL CORRECTIONAL INSTITUTION  
ROBERT TIMOTHY BLAKE

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FCI Bastrop  
P.O. Box 1010  
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SUPREME COURT OF THE UNITED STATES  
Office Of The Clerk  
1 First Street, N.E.  
Washington, DC 20543

RE: Blake v. United States / USCA5 No.24-50003 : Out Of time Petition.

Date: September 25, 2024.

To the Honorable Clerk Of the Court,

I am writing to you today in refrence to your letter dated September 17,2024.(Attached). Where in you will inform me ,that my Petition for certiorari, is out of time by 5 days. This Letter is my Humble request for the court to Please Consider my Petition, and allow this petitioner to file his Petition, "Out of Time". I wish to ask this Court's Permission to accept my Pleadings, and to please forgive my lack of knowledge and my unfortunate misunderstanding of the Court Rules, Rule 13. Or may this Court please consider any new request to file an Out of time Petition, due to the Nature of the Petition, the Lack of law knowledge by this petitioner, the innocent misunderstanding of the timing rules, Persuant to Rule 13, as explained, honestly below:

Statement Of Fact: ~~from the date of the denial...~~

I, Robert Timothy Blake did consider the timliness of his Petition, where it will need to be filed withing 90 days of the Lower court's determinations. Petitioner here, has misunderstood the language of the Rule 13. Review on Certiorari: Time for Petitioning, R.13(3):

"... But if a petition for re-hearing is timely filed in the lower Court by ant party... runs from the date of the denial..."  
(emphasis Added).

After I received your letter I realized my mistake, and Have NO Excuses for my error. I was Counting the Issue of the Mandate, as a starting point for the 90 days, In-Time Period to file my Petition to the Court. This Mandate was issued June 11,2024.

(See Attachment B,Pg.2). By my misunderstanding, I will consid~~er~~<sup>ED</sup>

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THE CLERK  
SUPREME COURT, U.S.

R. Blake 9/25/2024.  
46959320

September 11, 2024 to by my deadline to utilize the Prison Mail-Box Rule to File my Petition, Which I had a STRUGGLE to do.

My Tardiness is not intended, or by any means an act of Delay.

I may explain my misunderstanding here:

the Rule 13.3, will explain to me that the issuance date of the mandate does NOT run the time to file a writ of certiorari petition. (This Is Clear). However, the Rule will continue to speak to me and say:

" But if a petition for rehearing is timely filed in lower court by any party... ... the date runs from the date of the denial of rehearing..." (emphasis added).

My ERROR is, where I do not equate the language of the first part of the Rule 13.3 will qualify the "Not From the Issuance Date of the Mandate.", Then the Rule says "But if", and the restrictions of the Mandate are not repeated, to me in the rule. I conceded to my error, and ask this Court to Forgive this delay of only a few days.

I Truly did consider the Mandate of the Denial for a rehearing, and NOT the Date the RE- Hearing was denied. I own my mistake, and Pray to this Court for A reconsideration to allow my Petition to be accepted, as timely, or as an Out-Of Time , with the Court's approval. I ask this Court to pleas consider the Nature of my Petition, for it may impact specific Constitutional Right's of this Petitioner, and Similar Defendant's ,in Similar Situations. Wher this Petition is Not Frivolous, or Ordinary, and can have an Extraordinary impact to this Defendant's Case and Liberty.

Also, May the Court Consider that this Petitioner's actions in the lower Court were NOT concluded on 06/03/2024 , Or 06/11/2024, Due to the fact, the Same issue was pending with The Judicial Council for the Fifth Circuit, No.:05-24-90102 & No.: 05-24-90103.

(See Attachment C).

Without the Mention of my Restrictions as a PRO-Se Petitioner, at FCI Bastrop, May this Court Please Consider my Humble request to allow my Petition to Proceed, In Forma Pauperis, for a Writ of Certiorari.

Without Delay, I am returning my Original Document's to the Court,  
and May rely on my previous service to the Government. I will  
send a Copy of this Letter and it's Request to the Government  
at the :

Solicitor General of the United States  
Room 5616  
D.O.J.  
950 Pennsylvania Avenue, N/W.  
Washington, DC 20530-0001.

Also included is a Certificate of Service and Mailing of the First  
Petition on 09/06/2024.

I have No excuse to date my Petition before this date, except  
for the information provided above.

Please apply Hanes V. Kerner, and it's Liberal application, NON-Lawyer.

May the Court Please Consider my request, and May the Government  
agree with this Petitioner UN-Opposed, for in the interest  
of Justice, fairness, and the Constitutional Rights of this  
Defendant. For this I Pray for this Court's Understanding of  
my Unintentional Errors, concerning Rules and Procedures.

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Respectfully Submitted,



Robert Timothy Blake  
46959380 Pro-Se.

USCA5 No:..24-50003.

September 25, 2024.

Enclosures.