

June 9, 2025

Office of the Clerk  
Supreme Court of the United States  
Washington, D.C. 20543

Re: Application to extend the time to file

Dear Clerk

Pursuant to Supreme Court Rule 30.4, Appellant in pro se, in necessity, hereby files his request, requesting an extension of time to file his Petition for Writ of Certiorari.

Appellant's Petition for Panel Rehearing and Rehearing En Banc was denied on March 31, 25 by the U.S. Court of Appeal for the Eleventh Circuit. Case No. (24-12184).

My reasons why I am requesting an extension of time to file my Writ of Certiorari is because of an transfer from Wheeler C.F. in April, 2025, and a scheduled hernia surgery that was rescheduled. I am requesting extra time to properly prepare my Writ of Certiorari pursuant to Supreme Court Rule 30.4.

Thank You

Sincerely

Nelson Mickens Jr 6-9-2025  
#1002065070

IN THE SUPREME COURT OF THE UNITED STATES

Nelson Mickens, Jr.,

PETITIONER,

Case No.

vs.

William Danforth,

Respondent(s)

PROOF OF SERVICE

I, Nelson Mickens, Jr., do declare that on this date, June 10, 2025, as required by Supreme Court Rule 29 I have served the enclosed Application to extend the time to file on each party to the above proceeding and on every person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first class postage prepaid.

The names and address of those served are as follows:

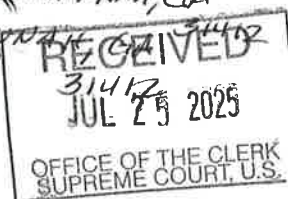
1. Butler Snow & L.P., 1170 Peachtree St. N.E., Suite 1400, ATLANTA, GA
2. BENJAMIN W. CHEESBRO, Clerk, U.S. Dist Court, Southern Dist, P.O. Box 8286, SAVANNAH, GA
3. Clerk, U.S. Dist Court, Southern Dist, P.O. Box 8286, SAVANNAH, GA

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6/10, 2025

3.

Nelson Mickens Jr.



Declaration under penalty of perjury  
in compliance with (28 U.S.C. 1746)

I Nelson Mickens Jr., declare under penalty  
of perjury under the laws of the United  
States of America that the following foregoing  
is true and correct.

Executed on this 12th day of June 2025

Respectfully Submitted,

X Nelson Mickens Jr.  
Nelson Mickens Jr. PROSE  
#1002065070  
Wilcox S.P.  
P.O. BOX  
Abbeville, GA 31001

SWORN TO AND subscribed before me this  
12 day of June, 2025

Stephanie Howell  
Notary Public or Other Person Authorized to Administer Oaths



In the  
United States Court of Appeals  
For the Eleventh Circuit

---

No. 24-12187

---

NELSON MICKENS, JR.,

Plaintiff-Appellant,

*versus*

WILLIAM DANFORTH,

Defendant-Appellee.

---

Appeal from the United States District Court  
for the Southern District of Georgia  
D.C. Docket No. 5:23-cv-00049-LGW-BWC

---

Before ROSENBAUM, NEWSOM, and ABUDU, Circuit Judges.

## BY THE COURT:

Nelson Mickens, a Georgia prisoner, appeals the district court's order dismissing his *pro se* amended complaint against William Danforth, pursuant to 42 U.S.C. § 1983. Mickens now moves for leave to proceed ("LTP"). All prisoners seeking to commence or appeal a judgment in a civil non-habeas action must, under the Prison Litigation Reform Act ("PLRA"), pay the filing fees, regardless of whether they are indigent, or the appeal is non-frivolous. 28 U.S.C. § 1915(a), (b). Because Mickens has consented to paying the filing fee, the only remaining issue is whether the appeal is frivolous. *See* 28 U.S.C. § 1915(e)(2)(B)(ii).

An action is frivolous if it is without arguable merit in law or fact. *Bilal v. Driver*, 251 F.3d 1346, 1349 (11th Cir. 2001). When we make this determination, "[p]ro se pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed." *Hughes v. Lott*, 350 F.3d 1157, 1160 (11th Cir. 2003) (quotations omitted).

Here, Mickens could not raise as an issue of arguable merit that the district court erred when it dismissed his complaint for failure to exhaust his administrative remedies. Mickens does not contest that he did not file a grievance about his health, safety, or threats from other prisoners.

Additionally, he did not show how the grievance procedure was unavailable to him, as he had filed a grievance while he was at Coffee State Prison, regarding being placed in the segregation unit. That action showed that administrative remedies were available to

24-12187

Order of the Court

3

him, as he had used the process while he was incarcerated at the prison. *Geter v. Baldwin State Prison*, 974 F.3d 1348, 1356 (11th Cir. 2020); *Ross v. Blake*, 578 U.S. 632, 643-44 (2016). Accordingly, this Court now finds that the appeal is frivolous, DENIES leave to proceed, and DISMISSES the appeal.

In the  
United States Court of Appeals  
For the Eleventh Circuit

---

No. 24-12187

---

NELSON MICKENS, JR.,

Plaintiff-Appellant,

*versus*

WILLIAM DANFORTH,

Defendant-Appellee.

---

Appeal from the United States District Court  
for the Southern District of Georgia  
D.C. Docket No. 5:23-cv-00049-LGW-BWC

---

Before ROSENBAUM, NEWSOM, and ABUDU, Circuit Judges.

2

Order of the Court

24-12187

BY THE COURT:

Pursuant to 11th Cir. R. 22-1(c) and 27-2, Nelson Mickens, moves for reconsideration of this Court's December 6, 2024, order denying his motion for leave to proceed, on appeal from the denial of his amended *pro se* civil complaint for failure to exhaust administrative remedies. Upon review, Mickens's motion is DENIED because he offers no new evidence or meritorious arguments as to why this Court should reconsider its previous order.