

State of Michigan)

SS. Declaration of James H. Hains *850456
County of Baraga)

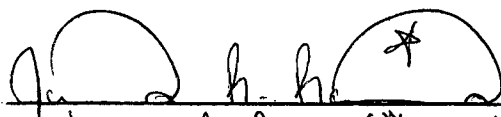
I, James H. Hains, honestly declare the following:

- 1) That the Writ of Certiorari Motion-contained within- was filed on, or before the date the Motion for Extension of Time expired;
- 2) That the CSJ-318 Form for the Expedition of Legal Mail-also contained herein as Disbursement Authorization (Expedited Legal Mail-Prisoner)- was sent from me on December 21, 2017, and should serve as proof of my timely filing of the Motion;
- 3) That through no fault of my own, the Motion was postmarked incorrectly, then placed in the mail past my deadline date; and lastly,
- 4) Once my signature, and the date I signed, was placed on the Legal Mail Form, along with that of my units ARJUS, it is out of my hands as to when this Facility's staff actually mails out the Forms.

Pursuant to 28 U.S.C. § 1746, I declare that the above statement is true to the best of my knowledge, information, and belief under penalty of perjury.

Respectfully Submitted,

Date Executed on: 2/1/18

By: 
James H. Hains (*850456)
Baraga Correctional Facility
13924 Wadaga Rd.
Baraga, MI 49908

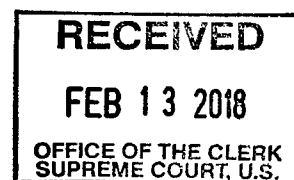
— Clerk,

Inside, please find a Declaration from me, as an explanation to why my Writ of Certiorari Motion was postmarked as it was, and received as late as it was. As well, please find an Expedited Legal Mail Form, as proof that once I and my unit AHUS sign and date the Legal Mail Form, the rest of the process is in my hands no longer, and I have no more control over the process. Lastly, please find the original, and a copy, of my Writ of Certiorari, and Motion for Leave to Proceed In Forma Pauperis, for your filing. Your help in this matter would be greatly obliged. Thank you.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "James H. Hains". The signature is written in dark ink on a white background.

James H. Hains #850456



DISBURSEMENT AUTHORIZATION (EXPEDITED LEGAL MAIL - PRISONER)

REV. 11/15 4835-3318

Please PRINT clearly, illegible and/or incomplete forms will not be processed.

Lock 7/119 Institution AMFPrisoner Number 850456 Prisoner Name, Type or Print Clearly James Hains☒ Legal Postage ☐ Filing Fee \$ ☐ Certified Mail (Must Be a Court Ordered Requirement)☐ New Case ☐ Case NumberPay To Office of The ClerkMailing Address Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

The Following Section Must Be Completed In Authorizing Staff Member's Presence

Prisoner Signature [Signature] Date & Time Submitted 12/21/17 1Received by Type or Print Name & Title [Signature] Staff Signature [Signature]Date & Time Received by Authorizing Staff 12/21/17

Authorization Denied

- ☐ Does not meet definition of legal mail or court filing fee as identified in OP 05.03.118
- ☐ Not hand delivered to authorizing staff member
- ☐ Does not include court order for handling as certified mail
- ☐ Prisoner refused to sign & date in staff member's presence
- ☐ New case or case number not on form
- ☐ Other (explain) **INSTITUTIONAL DEBT**

Denied by Type or Print Name & Title DEC 28 2017 Signature BARAGA CORRECTIONAL

Section Below to be Completed by Mail Room Staff

Placed in Mail by Type or Print Name & Title DGMA GA Signature [Signature]Postage Amount \$ 350 Date Placed in Outgoing Mail 12/27/17 1515

Only Business Office Staff are to Write in the Section Below

Postage \$ 3.50 Total Obligation \$ 3.50 ☐ Court Filing Fee Denied Due to NSF

Filing Fee \$ Check #

Date Copy Sent to Prisoner 12/28/17Processed by Type or Print Name & Title T. Minton Ant Tech Signature T. Minton

NOTICE TO THE COURT OR AGENCY

Re: LEGAL WRITER'S PROGRAM

Pursuant to the mandate contained in the October 1, 1996 Order of the United States District Court Judge Richard J. Enslen, Western District of Michigan, in the case of *Knop v. Johnson*, and *Hadix v. Johnson*, File No 4:92-CV-110, you are hereby notified that:

1. The attached document was drafted for the prisoner because the Michigan Department of Corrections determined that, at the time the document was drafted, the prisoner was unable to draft the document without assistance.
2. The assistance is not equivalent to legal representation.
3. The service may not be available to the prisoner on an ongoing basis.

This notice is required pursuant to Judge Enslen's Order which states that "a court or agency, in making a determination whether to assign counsel, may consider the apparent capacity of the prisoner to handle his own case based on the apparent quality of the document submitted." Any delay in receiving the attached documents is due to no fault of the client. Correctional Facility operations hampered immediate filing.

Legal writer prepared e.g. Letter to the Clerk of the Court, Motion for Leave to Proceed in Forma Pauperis, with an affidavit in Support of Forma Pauperis, A Petition for Writ of Certiorari, Declaration of Services, and Accompanying Appendices.

**Additional material
from this filing is
available in the
Clerk's Office.**