

IN THE
UNITED STATES SUPREME COURT

ZAVIEN BRAND,

Petitioner,

-VS-

UNITED STATES OF AMERICA,

Respondent.

Appeal No. _____

On Appeal for a Petition for a
Writ of Certiorari to the Eleventh
Circuit Court of Appeals

(USDC No. 8:13-cv-02103 (M.D. Fla.)
(Appeal No. 17-12227-E)

PETITIONER BRAND'S
MOTION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI

COMES NOW, Petitioner, ZAVIEN BRAND, ("Brand"),
in proper person, and hereby respectfully moves the Court,
pursuant to Supreme Court Rule 13.5, for entry of an
Order granting him an extension of time of 45 DAYS
within which to file his Petition for a Writ of
Certiorari. In support, Mr. Brand would make the
following showing of good cause:

1.) Relevant Background Facts.

Mr. Brand seeks to file a petition for a writ of certiorari with the Court following the denial of his application for a certificate of appealability ("COA") and a subsequent motion for reconsideration. The U.S. District Court for the Middle District of Florida, at Tampa, denied Brand's 28 U.S.C. § 2255 motion on March 29, 2017. USDC No. 8:13-cv-02103-SDM (M.D. Fla.).

Brand subsequently filed an application for a COA to the Eleventh Circuit Court of Appeals, which was denied on March 21, 2018. Appeal No. 17-12227-E.

Brand then filed a motion for reconsideration, which the Eleventh Circuit denied on May 15, 2018.

Pursuant to Supreme Court Rule 13.3, Brand's deadline to seek certiorari review is August 13, 2018.

B.) Good Cause Exists for an Extension of Time.

Mr. Brand affirms that he has been working diligently to complete his petition for a writ of certiorari. However, circumstances beyond his control have conspired to make his compliance with the August 13, 2018 deadline impossible for him. Brand requires additional time to make a meaningful filing of his petition.

The reasons why Brand requires additional time is because he has not been able to obtain court transcripts and other legal records that are essential to his ability to complete his petition. Brand affirms that the District Court will not provide the transcripts and he has been waiting for his prior attorney to provide them. However, his attorney has only been giving

Brand the run-around while his certiorari deadline has been elapsing. Brand affirms that he has had no other choice but to abandon his hopes that the attorney is going to provide the legal records he requires — and has recently called upon the assistance of a relative to help him obtain the legal materials.

This process has been arduous to say the least though because his outside liaison has had limited time to devote to assisting Brand, and is unfamiliar with legal documents and court procedures.

Additionally complicating matters is the fact that Brand's institution has experienced a number of lock-downs and scheduling problems that have seriously hindered his access to the law library — preventing Brand from having enough time to complete research.

Mr. Brand affirms that, if the Court will grant him the requested extension of time of 45 DAYS, he is confident that he will be able to make a timely and meaningful filing of his certiorari petition. Brand further affirms that this request is made in good-faith and not intended for any purposes of undue delay. Any inconvenience to the Court or the United States is unintended and regrettable.

CONCLUSION

WHEREFORE, PREMISES CONSIDERED, Mr. Brand respectfully prays this Court grants his Motion for Extension of Time of 45 DAYS within which to file his petition for a writ of certiorari.

I, ZAVIEN BRAND, declare under penalty of perjury, pursuant to 28 U.S.C. §1746, that the foregoing is both true and correct.

Dated this 3rd day of August, 2018.

Respectfully Submitted,

Zavien Brand

Zavien Brand pro se

Reg. No. 55306'-018

Federal Correctional Complex

U.S. Penitentiary - Coleman II

P.O. Box 1034

Coleman, FL 33521-1034

CERTIFICATE OF SERVICE / AFFIDAVIT OF MAILING

I, ZAVIEN BRAND, hereby declare under penalty of perjury, pursuant to 28 U.S.C. §1746, that I have this day and date, AUGUST 3, 2018, sent a true and correct copy of the foregoing, MOTION FOR EXTENSION OF TIME, via first-class U.S. Postal Mail, with prepaid postage affixed thereon, and properly addressed to the parties indicated below. I affirm that this document was mailed, as indicated, by depositing it into the internal mail system at my institution for processing in the U.S. Postal Mail by prison staff, in accordance with HOUSTON V. LACK, 487 U.S. 246, 275-276 (1988). The document was mailed to:

Clerk of the Court
U.S. Supreme Court
1 First Street, N.E.
Washington, D.C. 20543

U.S. Solicitor General
U.S. Department of Justice, Room 5616
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

Dated this 3rd day of August, 2018.

Zavien Brand

Zavien Brand pro se

- 6 -

Reg. No. 55306'-018

Clerk of the Court
United States Supreme Court
1 First Street, N.E.
Washington, D.C. 20543

RE: ZAVIEN BRAND v. UNITED STATES

Appeal No. _____ (unknown ... new filing)
(orig. case: 11th Cir. Court of Appeals, Appeal No. 17-12227-E)

Dear Clerk:

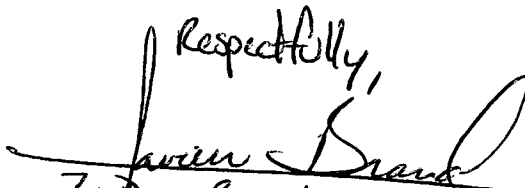
August 3, 2018

Please find enclosed for filing with the Court:

PETITIONER BRAND'S MOTION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI

Thank you in advance for your time and assistance.

Respectfully,



pro se

Zavien Brand
Reg. No. 55306-018
Federal Correctional Complex
U.S. Penitentiary - Coleman II
P.O. Box 1034
Coleman, FL 33521-1034

cc: /26
enclosure
U.S. Sol. Gen.

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AUG 22 2018

OFFICE OF THE CLERK
SUPREME COURT, U.S.