

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2018

This is an application to an individual Justice for an extension of time in which to file a petition for a writ of certiorari to the United States Court of Appeals for the District of Columbia.

Earl Reyes,

Appellant,

Case No. 17-5214

v

Micheal Duggan, and,
the United States,
Appellee(s)

APPLICATION

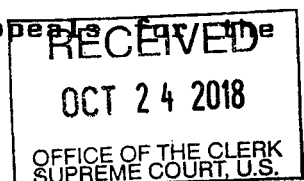
TO: Chief Justice John G. Roberts, Jr., of the Supreme Court of the United States and Circuit Justice for the New York Circuit

Pursuant to Title 28, United States Code, Section 2101(c) and rule 13 of the Rules of the Supreme Court of the United States, application is hereby made for an extension of time within which to file a petition for a writ of certiorari, from October 15, 2018 to December 14, 2018

1. The judgment sought to be reviewed is that of the D.C. Circuit's in the case entitled, Earl Reyes v. Micheal Duggan, and, the United States.

2. The judgment sought to be reviewed was entered on April 18, 2018. A timely petition for rehearing, and, rehearing en banc, was denied on July 17, 2018. The time allowed for a petition for a writ of certiorari in this case will expire on October 17, 2018.

3. The judgment of the United States Court of Appeals for the



District of Columbia, consists of an order, denying Appellant's motion for appointment of counsel, and, further affirming the district court's order, dismissing the Appellant's claim for failure to state a claim.

4. The jurisdiction of this Court is invoked under the provisions of Title 28 U.S.C. §§1254, and 1651.

5. This case involves a *Rivens*, action filed by the Appellant against one Micheal Duggan, who is currently an assistant court clerk of this Court, and, the United States, for discrimination against a suspect class, and, denial of access to the Court. And, the burden imposed on the Appellant, by the Court of Appeals, without the appointment of counsel, to demonstrate the likelihood of success on the merits, and, to show that his complaint states claim where relief can be granted. And, the construction of a federal statute which allows for injunctive relief against federal officials.

6. This extension is requested because of factors that are outside control of the Appellant, and, that unforeseen or uncontrollable events render him unable to timely file petition for a writ of certiorari.

Appellant, who while proceeding pro se is a prisoner, residing at the Auburn Correctional Facility, in Auburn, New York, he was transferred there in the month of July of 2018, in retaliation by the New York State Department of Corrections And Community Supervision, for filing suit against such, and, since has only been allowed access to said facility's call out system twice in approximately four months. In addition, Appellant suffers from

symptoms such as, pain, internal bleeding, and polyp growth, that as a consequence affect his conduct of daily activities, and, thinking capacities, and, are aggravated by the fact that he is up to date still being denied medical care, sought injunctive relief from a lower federal court and has been recently denied such relief.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on October 11,

2018


Earl Reyes

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