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ORIGINAL

Previously: No. 18-8801

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
DEC 22 2021
OFFICE OF THE CLERK
SUPREME COURT, U.S.

PATRICK JOSEPH TERRY - Petitioner

-vs-

THE STATE OF OKLAHOMA - Respondent

MOTION FOR ENLARGEMENT OF TIME IN WHICH TO
FILE *PETITION FOR A WRIT OF CERTIORARI*

COMES NOW, Patrick Joseph Terry, appearing *pro se*, pursuant to the *Rules of the Supreme Court of the United States* (2019), Rule 14(5), 21(C), 33(1), and 33(2) to move this Honorable Court for an enlargement of time of sixty (60) days from the current deadline of January 4, 2022, or until March 5, 2022, in which to submit his *petition for writ of certiorari*. Pursuant to SCOUS Rule 22(3), Petitioner seeks leave for the enlargement of time directly through the office of the Honorable Mr. Neil M. Gorsuch, Associate Justice. The current deadline for the filing of the petition for writ of certiorari is January 4, 2022.

In support thereof, Petitioner would show this Court as follows:

1. That this action is a *petition for a writ of certiorari* to the Oklahoma Court of Criminal Appeals ["OCCA"] sought pursuant 28 U.S.C. 1257 (A).

2. That on October 6, 2021, the OCCA entered an *Order Affirming Denial of Post-Conviction Relief (Terry v Oklahoma, PC-2018-1076 (October 6, 2021) (unpublished) (see: Appendix 1)*
 - a. That the question of law presented to the courts below has previously been adjudicated by this Honorable Court *see: Terry v Oklahoma, 141 S. Ct. 2452 (2020)*.
3. That Petitioner argues that his cause has sufficient merit to again stand the judicial scrutiny of this Honorable Court, and that he will prevail.
4. That the current deadline for filing this action is now January 4, 2022.
5. That the enlargement of time will not adversely affect any part of these proceedings.
6. That the enlargement of time is not sought to delay nor disrupt these proceedings, or to adversely impact the legal position of the Respondent.
7. That the State of Oklahoma, through the Office of the Solicitor General for the State of Oklahoma, does not oppose Petitioner's request for an enlargement of time.
8. That when the OCCA's decision was published, Petitioner was living in central Oklahoma, but that on October 11, 2021, Petitioner moved to Tahlequah Oklahoma.
9. That Petitioner moved to Tahlequah in order to address multiple health challenges, and that as a Citizen of the Cherokee Nation, he can utilize the extensive services available to Cherokee People.

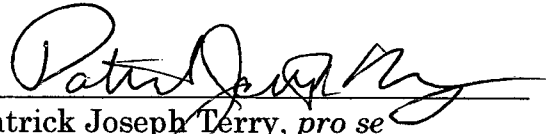
10. That Petitioner resided in the Tahlequah Men's Homeless Shelter for thirty (39) days, and only recently found lodging in a one room studio apartment.
11. That Petitioner suffers from multiple health issues, including liver disease and hypertension, as well as other challenges that characterize the lives of the elderly.
12. That Petitioner now asserts that, even with due diligence, he will be unable to meet the filing deadline for this action.
13. That Petitioner now asserts that if granted the additional 60 days, he will have his *petition for a writ of certiorari* before this Honorable Court for review.
14. That the interests of justice will best be served by granting Petitioners request for an enlargement of time of sixty (60) days from the current deadline of January 4, 2022, or until March 5, 2022.

PRAYER FOR RELIEF

WHEREFORE, premises considered and for good cause shown, Petitioner prays this Honorable Court grant leave to extend the deadline for filing his *petition for writ of certiorari* for sixty (60) days from the current deadline of January 4, 2022, or until March 5, 2022,; and, such other relief as this Court deems necessary and just.

IT IS SO PRAYED.

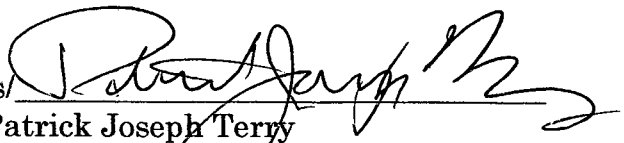
Respectfully submitted,

/s/ 
Patrick Joseph Terry, *pro se*
1011 S. Muskogee Avenue
Tahlequah OK 74464

DECLARATION

I, Patrick Joseph Terry, hereby declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. **28 U.S.C. § 1746; 18 U.S.C. § 1621.**

Executed at City of Tahlequah, Cherokee County, State of Oklahoma on December 22, 2021

/s/ 
Patrick Joseph Terry