

3-MSB-11

APPLICATION TO JUSTICE
NEIL M. GORSUCH
TO EXTEND TIME TO FILE
PETITION FOR CERTIORARI.
(Sup. Ct. R. 13.5)

RELIEF SOUGHT.

NOW COMES Stetson Bruce appearing in pro-se and respectfully requests that Justice Neil M. Gorsuch, Justice for the Tenth circuit, extend the time for filing a petition for writ of certiorari to the Tenth Circuit Court of Appeals in the matter of
United States v. Bruce 127 F.4th 246 (10th Cir 2025) No. 23-7061.

for a period of 30 days, or from 04/28/2025 up to and including 05/30/2025.

GROUND FOR RELIEF:

a.) Judgments below:

1. On 07/21/2022, a Jury in the Eastern District of Oklahoma returned a verdict of guilty on two Counts of aggravated sexual abuse in Indian County, -- See 18 U.S.C. §§ 2241(c), 2246(2)(A), 1151, and 1153. At sentencing, the district court imposed two concurrent life sentences.
2. The convictions were duly appealed to the U.S. Court of Appeals for the Tenth Circuit. The court affirmed the conviction by its Order entered on the January 28th of 2025. A true and correct copy of the opinion and order is reported at 127 F.4th. 246 (10th Cir 2025); 2025 U.S.App. LEXIS 1949; Appeal NO. 23-7061.

b.) Jurisdiction:

3. The Supreme Court will have jurisdiction over this matter because 28 U.S.C. § 1254(1) gives the Court jurisdiction over appeal of a final judgment of a United States Court of Appeals.

C.) Reasons why relief from time-limit is needed.

4.) Under Sup. Ct. Rule 13.1, the time for filing of a petition for writ of Certiorari in this matter expires on 04/28/2025.

5.) Petitioner, a layperson, relied on attorney of record before the U.S. Court of Appeal for the Tenth Circuit to file a timely petition for writ of certiorari in this matter. After Counsel declined to pursue the Petition, it fell upon Petitioner to collect the Pleadings and record on appeal to proceed pro se. Soon after the records were requested, the Prison officials at the Bureau Of Prisons (BOP) were noticed of its arrival, and its relevance to Petition this Court.

c.) Despite undertaking these precautions well in advance, when Counsel mailed those records, properly designating the package as "LEGAL-MAIL - OPEN IN PRESENCE OF INMATE ONLY", the mailroom personnel unlawfully intercepted it. After breaching its sanctity it was returned to Sender for stated reason. See, EXHIBIT-A. No opportunity to cure the defect -- a process due under the relevant program statements, -- were afforded to the Petitioner.

- 7.) In the mean time Petitioner had just began scraping the record from recently published update from the Prison Law-Library LEXIS-NEXIS, when the facility shutdown the library area for maintenance and security reasons. That move has effectively cutoff any meaningful access to legal resources, including typewriters, copying, access to electronic law-library, and encyclopedias. Petitioner is unable to secure aid from jailhouse clerks as well. Under the current estimates, those resources are inaccessible until the first week of May 2025.
- 8.) Petitioner is still struggling to acquire the records, prerequisites to the filing of a petition for writ of certiorari.
- 9.) To Complicate the matter, two additional events occurred simultaneously. One, the copier at the housing unit broke down. The estimated date of its repair is set around second-week of May 2025. This hand-drafted motion was ready for mailing on 04/08/2025, and could not be copied. Two; there was a sharp outbreak of NORO virus at the Prison in the first week of April 2025. No matter how carefully Petitioner quarantined, on 04/09/2025 he fell victim to it. He is only now recovering from its after effects. As a result, Petitioner was forced to rewrite this portion of the motion.

d.) Persuasive grounds exists for certiorari :

- 10.) The Petitioner's conviction raises grave Constitutional and trial practice concerns. Our system of trials allow for juries to either convict or acquit based on evidence intrinsically presented at the trial, in a manner consistent with adversarial system. Here the jury's verdict was tainted by extrinsic evidence during deliberation. The affects of it may not be evaluated. Thus, they are errors of structural kind. Nevertheless, considering the substantially prejudicial nature of the evidence, the court below should have reviewed the error under de novo standard, instead of abuse of discretion or of harmless error.

e.) Extension will not Prejudice any party.

- 11.) This motion is not advanced to delay the proceedings. The circumstances here are beyond Petitioner's control. Neither there are indications, nor Petitioner is aware of prejudice to any party.

CONCLUSION.

Petitioner is presently serving two concurrent life sentences. This is his first request for extension. The foregoing is submitted as sufficient to satisfy good cause and meeting the ends of justice exception. Petitioner **PRAYS**, the extension be granted at this time.

Respectfully Submitted,

Stetson Bruce

Dated: 04/13/2025.

By: Stetson Bruce

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