

*Morgan Morgan* Page 2 of 2

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David Hernandez #BA0803  
Mud-creek state prison  
P.O. Box 409020  
Ione, CA 95640  
pro-se

800 507-4500

RECEIVED  
MAR 13 2026  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE SUPREME COURT OF  
THE UNITED STATES

DAVID HERNANDEZ  
PETITIONER

CASE NO: CV-05272 S.B.S.P  
COURT OF APPEALS NO: 24-2794

✓

REQUEST FOR EXTENSION  
30-DAY

W.L. MONTGOMERY  
WARDEN

Petitioner, David Hernandez, hereby moves this Court for a 30 day enlargement of time to file a writ of certiorari in this court to and including March 6 2026.

Declaration

I, David Hernandez am the petitioner in this case. I hereby state as follows in support of the within request for extension of time to file petitioner request for writ of certiorari.

I timely filed a notice of appeal from the judgement denying my habeas corpus petition in the U.S. District Court for the Central District of California. The district court denied my habeas corpus and decline to issue a certificate of appealability on april

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3, 2024

on April 18 2024 petitioner sent a N-O-A to the ninth circuit court of appeals

On March 7, 2025 the ninth circuit denied petitioner a C.O.A.

On December 8 2025, petitioner received a denial requesting a rehearing

Here on February 26, 2025 petitioner is requesting a 30 day extension to file a writ of certiorari to review the judgement of the united states court of appeals in denying petitioner's application for certificate of appealability.

The due date to file a writ of certiorari is due on March 6 2026 petitioner is requesting the deadline to be extended until April 5th 2026

February 26 2024

Respectfully Submitted  
David Hernandez

GRIEVANCE / REASONABLE ACCOMMODATION REQUEST

CDCR FORM 602-1 / 1824 (Rev. 08/2024)

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proof of service

IN THE SUPREME COURT OF THE UNITED STATES

DAVID Hernandez  
Petitioner

U.S. District Court No: CV-05272 SBSP  
Court of appeals No: 24-2794  
proof of service

v.  
W.L. Montgomery  
Warden

I, David Hernandez, do swear or declare that on this date February 26, 2026 as required by the Supreme Court Rule 29 I have served the enclosed motion for 30 day extension to file a writ of Certiorari to the Supreme Court of the United States.

The name and address are as follows:  
Clerk of the Court

In the Supreme Court of the United States  
Washington DC. 20543

I declare under penalty of perjury that the foregoing is true and correct

Executed on:  
February 26 2026

Respectfully Submitted,  
David Hernandez

UNITED STATES COURT OF APPEALS

**FILED**

FOR THE NINTH CIRCUIT

MAR 7 2025

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DAVID HERNANDEZ,

Petitioner - Appellant,

v.

W. L. MONTGOMERY, Warden,

Respondent - Appellee.

No. 24-2794

D.C. No. 2:20-cv-05272-SB-SP  
Central District of California,  
Los Angeles

ORDER

Before: GRABER and JOHNSTONE, Circuit Judges.

The request for a certificate of appealability (Docket Entry Nos. 5, 6, 7, 8, and 10) is denied because appellant has not made a “substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

All pending motions are denied as moot.

**DENIED.**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

DEC 8 2025

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

DAVID HERNANDEZ,

Petitioner - Appellant,

v.

W. L. MONTGOMERY, Warden,

Respondent - Appellee.

No. 24-2794

D.C. No. 2:20-cv-05272-SB-SP  
Central District of California,  
Los Angeles

ORDER

Before: HURWITZ and BRESS, Circuit Judges.

The motion (Docket Entry No. 21) for reconsideration is denied. *See* 9th Cir.  
R. 27-10.

No further filings will be entertained in this closed case.