

No. \_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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Michael Rene Garrett, Petitioner

v.

Bryan Morrison, Respondent

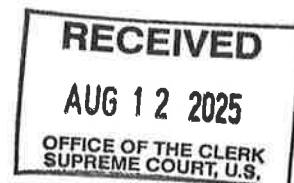
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APPLICATION FOR EXTENSION OF TIME TO FILE PETITION  
FOR CERTIORARI TO THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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The Pro Se Petitioner submits this Application to the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States.

Petitioner Michael Rene Garrett, respectfully request a 55 - day extension of time to properly file his pro se petition for Certiorari before this Honorable United States Supreme Court. This request for time extension is made pursuant to the S. Ct. Rule 13.6. The jurisdiction of this Honorable S. Ct. is invoked under 28 U.S.C. 1254.



This indigent petitioner resources have been completely exhausted by the Eleventh Circuit's repeat request for the Petitioner to refile his motions in the 11th Circuit.

The Petitioner was compelled to make more than several filings with the Eleventh Circuit, because of repeat "Deficiency Notice" from letter the 11th Circuit, see copy of United States Court of Appeal for the 11th Circuit provided herewith. (11-18-2024, 08-22-2024). The 11th Circuit repeat request for the Petitioner to file IFP Motion was later "denied as Moot." The Petitioner is totally unprepared to proceed without 55 - day time extension to obtain more resources. The indigent Petitioner seeks only one time extension in good faith. The granting of the time extension would not prejudice the government.

The 11th Circuit's repeat "No action/Deficiency Notice" claims are defects that are legally sufficient reason for time extension. The repeat refiling of Motions in the 11th Circuit was beyond the Petitioner's control. But for the 11th Circuit's several "No action/Deficiency Notice" claims the Petitioner would be prepared to file Certiorari.

The Petitioner is without counsel. Furthermore, the Petitioner filed several Motions in the Eleventh Circuit for Appointment of Counsel, but the Court rejected all Motions. The Petitioner requested access to the Federal Pro Bono Committee, but was denied by the 11th Circuit, Appellant seeking substantial compliance with federal statutes.

The indigent Petitioner does not have an attorney to represent or help him with this matter. The 11th Circuit's repeat rejections of Petitioner's reasonable request for Appointment of Counsel and access to Federal Court's Pro Bono Committee was prejudicial to Certiorari request.

#### CONCLUSION

For the reasons and facts already stated the Petitioner prays this Honorable United States Supreme Court grant this Application for time extension.

Respectfully submitted,

Date: July 22, 2025

  
Mr. Michael Rene Garrett  
MDOC #580170  
Lakeland C.F.  
141 First Street  
Coldwater, MI 49036

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-12491

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MICHAEL RENE GARRETT,

Petitioner-Appellant,

*versus*

UNITED STATES OF AMERICA,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Northern District of Georgia  
D.C. Docket No. 1:05-cr-00185-JPB-LTW-1

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ORDER:

Michael Garrett, a federal prisoner, appeals the district court's denial of numerous post judgment motions, which he filed following the dismissal of his *pro se* 28 U.S.C. § 2255 motion. Garrett now moves for an expansion of the certificate of appealability ("COA") which this Court construes as a motion for a COA, as no COA has been granted by this Court or the district court. He also moves to proceed *in forma pauperis* ("IFP"), for appointment of counsel, and for remand to the district court.

Garrett would need a COA to appeal the denial of his motion for reconsideration. *Perez v. Sec'y, Fla. Dep't of Corr.*, 711 F.3d 1263, 1264 (11th Cir. 2013); *Jackson v. Crosby*, 437 F.3d 1290, 1294 (11th Cir. 2005). To obtain a COA, a movant must make "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The movant satisfies this requirement by demonstrating that "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong," or that the issues "deserve encouragement to proceed further." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (quotation marks omitted).

Here, reasonable jurists would not debate the district court's denial of Garrett's motion for reconsideration. As a preliminary matter, as to the issues that he now attempts to add to his case in his motion for COA, those issues are not considered. *See Hurley v. Moore*, 233 F.3d 1295, 1297 (11th Cir. 2000). As to the merits, the district court properly denied Garrett's motion for reconsideration, as it was an attempt to relitigate the district court's April 20, 2023, denial of his over 30 post-judgment motions. Specifically, Garrett

24-12491

Order of the Court

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did not present new newly discovered evidence or errors of law or facts that would warrant the court to reconsideration its previous denial.

Garrett does not need a COA to appeal the district court's denial of his remaining post-judgment motions, because they raised procedural issues and did not address the merits of the habeas proceeding. *See Harbison v. Bell*, 556 U.S. 180, 182-83 (2009). Generally, this Court will grant IFP upon a finding that (1) the appellant is indigent, and (2) his appeal is not frivolous. *See* 28 U.S.C. § 1915. An action "is frivolous if it is without arguable merit either in law or fact." *Bilal v. Driver*, 251 F.3d 1346, 1349 (11th Cir. 2001).

Here, Garrett has no non-frivolous arguments that the district court erred in denying his other post-judgment motions. The court properly denied those motions as moot because there were no substantive matters before the court. It also properly denied his motion for guidance, as it could not provide Garrett advice.

As to his motion for appointment of counsel, counsel is not warranted because the district court properly denied Garrett's numerous post-judgment motions, and thus, there are no issues that are so complex to warrant the appointment of counsel. *Kilgo v. Ricks*, 983 F.2d 189, 193 (11th Cir. 1993).

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Order of the Court

24-12491

Accordingly, his motion for a COA, IFP, and for appointment of counsel are DENIED, and his motion for remand to the district court is DENIED AS MOOT.

/s/ Adalberto Jordan

UNITED STATES CIRCUIT JUDGE

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

For rules and forms visit  
[www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

August 22, 2024

Michael Rene Garrett  
Lakeland CF - Inmate Legal Mail  
141 1ST ST  
COLDWATER, MI 49036

Appeal Number: 24-12491-C  
Case Style: Michael Garrett v. USA  
District Court Docket No: 1:05-cr-00185-JPB-LTW-1  
Secondary Case Number: 1:10-cv-00500-WSD

**NO ACTION / DEFICIENCY NOTICE**

Notice that no action will be taken on Motion for appointment of counsel [10276749-2] filed by Appellant Michael Rene Garrett.

Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1.

**No deadlines will be extended** as a result of your deficient filing.

Certificate of Interested Persons and Corporate Disclosure Statement ("CIP")

You failed to comply with the CIP rules by:

- not including a CIP in your filing. See 11th Cir. R. 26.1-1(a)(1).

**ACTION REQUIRED**

For motions for reconsideration or petitions for rehearing that are not permitted, no action is required or permitted. Your filing will not be considered.

For mistaken filings, to have your document considered, **you must file the document in the correct court.**

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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November 18, 2024

Michael Rene Garrett  
Lakeland CF - Inmate Legal Mail  
141 1ST ST  
COLDWATER, MI 49036

Appeal Number: 24-12491-C  
Case Style: Michael Garrett v. USA  
District Court Docket No: 1:05-cr-00185-JPB-LTW-1  
Secondary Case Number: 1:10-cv-00500-WSD

**NO ACTION / DEFICIENCY NOTICE**

Notice that no action will be taken on Motion for extension to file motion for COA [10340002-2], Motion for extension of time to file IFP motion [10340002-3] filed by Appellant Michael Rene Garrett.

Reason(s) no action being taken on filing(s): The motion is untimely. A similarly filed motion was recently granted.

**No deadlines will be extended** as a result of your deficient filing.

**ACTION REQUIRED**

For motions for reconsideration or petitions for rehearing that are not permitted, no action is required or permitted. Your filing will not be considered.

For mistaken filings, to have your document considered, **you must file the document in the correct court.**

For all other deficiencies, to have your document considered, you **must refile the entire document** after all the deficiencies identified above have been corrected and you **must include** any required items identified above **along with** the refiled document. No action will be taken if you only provide the missing items without refileing your entire document.



**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
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Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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August 22, 2024

Michael Rene Garrett  
Lakeland CF - Inmate Legal Mail  
141 1ST ST  
COLDWATER, MI 49036

Appeal Number: 24-12491-C  
Case Style: Michael Garrett v. USA  
District Court Docket No: 1:05-cr-00185-JPB-LTW-1  
Secondary Case Number: 1:10-cv-00500-WSD

**NO ACTION / DEFICIENCY NOTICE**

Notice that no action will be taken on Motion for extension to file appellant brief [10276745-2] filed by Appellant Michael Rene Garrett.

Reason(s) no action being taken on filing(s): The filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1.

**No deadlines will be extended** as a result of your deficient filing.

Certificate of Interested Persons and Corporate Disclosure Statement ("CIP")

You failed to comply with the CIP rules by:

- not including a CIP in your filing. See 11th Cir. R. 26.1-1(a)(1).

**ACTION REQUIRED**

For motions for reconsideration or petitions for rehearing that are not permitted, no action is required or permitted. Your filing will not be considered.

For mistaken filings, to have your document considered, **you must file the document in the correct court.**

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

For rules and forms visit  
[www.call.uscourts.gov](http://www.call.uscourts.gov)

August 22, 2024

Michael Rene Garrett  
Lakeland CF - Inmate Legal Mail  
141 1ST ST  
COLDWATER, MI 49036

Appeal Number: 24-12491-C  
Case Style: Michael Garrett v. USA  
District Court Docket No: 1:05-cr-00185-JPB-LTW-1  
Secondary Case Number: 1:10-cv-00500-WSD

**NO ACTION / DEFICIENCY NOTICE**

Notice that no action will be taken on Prisoner Financial Statement filed by Appellant Michael Rene Garrett.

Reason(s) no action being taken on filing(s): If intended as a motion for IFP, the filing is deficient for failure to comply with this Court's rules on Certificates of Interested Persons and Corporate Disclosure Statements. See 11th Cir. R. 26.1-1. Further, a motion for IFP appears to be pending in the District Court.

**No deadlines will be extended** as a result of your deficient filing.

**ACTION REQUIRED**

For motions for reconsideration or petitions for rehearing that are not permitted, no action is required or permitted. Your filing will not be considered.

For mistaken filings, to have your document considered, **you must file the document in the correct court.**

For all other deficiencies, to have your document considered, you **must refile the entire document** after all the deficiencies identified above have been corrected and you **must include** any required items identified above **along with** the refiled document. No action will be taken if you only provide the missing items without refileing your entire document.

Please note that any filing submitted out of time must be accompanied by an appropriate motion, *i.e.*, a motion to file out of time, a motion to reinstate if the case has been dismissed, and/or a motion to recall the mandate if the mandate has issued.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Notice No Action Taken

FEDERAL COURT

Prisoner-Plaintiff/Petitioner/Appellant name and number  
GARRETT, MICHAEL RENE # 580170

v

Defendant's/Respondent's/Appellee's name

Bryan Morrison

**CERTIFICATE OF PRISONER INSTITUTIONAL/TRUST FUND ACCOUNT ACTIVITY**

I am employed by the Michigan Department of Corrections at the facility identified below, at which the prisoner identified as Plaintiff/Petitioner/Appellant is currently incarcerated.

Attached is a computer printout which accurately reflects the current spendable balance and all activity within this prisoner's account during the preceding six months or, if the prisoner has been incarcerated for less than six months, for the period of incarceration. Code "C" on the printout represents a withdrawal from the account and code "D" represents a deposit to the account. The attached printout reflects, for the reported period, an average monthly account deposit (i.e., total deposits divided by number of months) of \$59.33, an average monthly account balance (i.e., total deposits minus total withdrawals divided by number of months) of \$-1.70. There is a current spendable account balance of \$0.00.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Custodian of Prisoner Institutional/Trust Fund Account

\_\_\_\_\_  
Lakeland Correctional Facility  
Correctional Facility

## Certificate of Service

I, Michael R. Garrett, hereby certify that a copy of his  
Motion for Time Extension are being sent by U.S.

Mail, First-Class postage prepaid to:

Office of the U.S. Attorney-ATL 600  
Northern District of GA 600  
U.S. Courthouse  
75 Ted Turner Dr., SW  
Atlanta, GA 30303

Date: July 31, 2025

Respectfully Submitted by,

Michael R. Garrett

Michael Rene Garrett

MIDOC 580170

Lakeland Correctional Facility

141 First Street

Coldwater, Michigan 49036

Pro se Representation