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IN THE
SUPREME COURT OF THE UNITED STATES

DELMART VREELAND,

Petitioner, Pro Se

v.

THE PEOPLE OF THE STATE OF COLORADO,

Respondent.

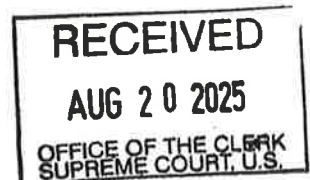
APPLICATION PURSUANT TO SUPREME COURT RULE 13
TO EXTEND THE TIME TO FILE A PETITION FOR WRIT OF CERTIORARI

Delmart Vreeland, Petitioner, Pro Se, pursuant to Supreme Court Rule 13 and extraordinary circumstances, hereby submits an Application to Extend the Time to File A Petition for Writ of Certiorari, and states as follows in support thereof:

This Court has jurisdiction over this matter to issues a Writ of Certiorari pursuant to 28 U.S.C. § 1257, and based on the information presented below.

On March 14th, 2025, Petitioner Vreeland's retained counsel filed a Petition for a Writ of Certiorari to the Supreme Court of the State of Colorado pursuant to Colorado Appellate Rule 50, hereafter ("C.A.R."). Delmart Vreeland v. The People of the State of Colorado, Colorado Supreme Court case number 2025SC147.

The purpose of the C.A.R. 50 petition was, inter alia, to review



and/or remove an appeal from the Colorado Court of Appeals which had been sitting since 2022 with no briefing due to state created impediments.

The state petition asserted, in part, that Petitioner Vreeland, prior to this Court's decisions in *Erlinger v. United States*, 602 U.S. 821, 144 S. Ct. 1840, 219 L. Ed.2d 451 (2024), was already nine-years past his maximum sentence release date, but the trial and court of appeals refused to take timely effective corrective action.

Additionally, Petitioner Vreeland was arrested, charged, tried and sentenced by a state court and prosecutor that lacked any and all jurisdiction over Petitioner Vreeland, and the crime charged.

Additionally, after this Court decided *Erlinger*, *supra*, that decision placed Petitioner Vreeland approximately 15 years past his mandatory, statutory maximum prison release and discharge date due to an illegal sentence the state courts and actors argued was not illegal, but as seen below, 21-years later admitted was illegal. Petitioner Vreeland requested trial on all alleged habitual offender sentence enhancement charges, by jury. The trial court denied the request and tried the issues on his own, and improperly decided Mr. Vreeland had been previously convicted of felonies, and that these felonies had been separately brought and tried on different dates and times. All of which was false.

Then, after denying the sentence was illegal for almost 21-years, and after a new Colorado Assistant Attorney General, one prosecccutor, and a non-associated state judge admitted the sentence was illegal and Mr. Vreeland was entitled to immediate release, had been held for over 15-years illegally, on June 5, 2025, after

Petitioner Vreeland argued for twenty-years that the sentence was illegal and that he should be released, another state court judge, not associated with the state case, issued an order claiming that she had, on her own authority, nine hours after the final appeal reply brief was filed by Petitioner Vreeland's counsel, altered the sentence again to moot the appeal arguments and to force Petitioner Vreeland to start his post-conviction process and appeals all over again. A 6 years process at minimum. The order took an illegal sentence and altered it to a different kind of illegal sentence, and did so to block appeals. That court proceeded in absence of jurisdiction of any kind.

On August 8, 2025, Petitioner was able to make contact with counsel of record by telephone, and was advised that the Colorado Supreme Court had denied the Petition for Certiorari, but the attorney provided incorrect information as to the actual date that denial was issued.

Petitioner Vreeland contacted counsel every week and asked the status of the appeals and cert petition, and finally, on August 8, 2025, at 11:37 AM, was read over the telephone the Colorado Supreme Court denial which was dated May 12, 2025, not July 12, 2025, as Petitioner was advised on August 4th, and 8th, 2025.

After being advised of the state court's order on August 8, 2025, Petitioner Vreeland consulted with a Michigan law firm and was advised that (i) the state court issued its denial, for sure, on May 12, 2025, as seen at Vreeland v. People of the State of Colorado, 2025 Colo. LEXIS 339, in case 2025SC147, associated with COA case 2022CA1704, and (ii) a petition for Writ of Certiorari to this Court was due 90-days after May 12, 2025, therefore, no later than August 10, 2025, a

Sunday, so August 11, 2025.

The Michigan law firm advised that under U.S. Supreme Court Rule 13, a request for time may be made if extraordinary circumstances applied, and that this situation meets that definition because, it was counsel's failure to correctly, properly, and timely advise Petitioner Vreeland that his certiorari petition to the Colorado Supreme Court had been denied, which stripped Petitioner Vreeland of his right to timely seek relief in this Court.

Rule 13(5) states that, "For good cause, a Justice may extend time to file for a writ of certiorari for a period not exceeding 60 days. An application to extend the time to file shall set out the basis for jurisdiction in this Court, identify the judgment sought to be reviewed, include a copy of the opinion and any order respecting rehearing, and set out specific reasons why an extension of time is justified. The application must be filed with the Clerk at least 10 days before the date the petition is due, except in extraordinary circumstances."

The extraordinary circumstances here are that Petitioner Vreeland was represented by counsel, and that counsel failed to advise that the state court issued a denial order on May 12, 2025. Instead, counsel waited until August 8, 2025, two-days prior to the date a certiorari petition to this Court was due, to advise Petitioner Vreeland of the state court ruling, and date thereof.

It is now impossible for Petitioner Vreeland to obtain a copy of the state court order, and to then prepare a petition to this Court, get it copied and served to the Clerk and all parties by Monday, August 11, 2025, the date the petition would be due as August 10,

2025, is a Sunday.

It is not Petitioner Vreeland's fault his counsel failed to properly and correctly advise him of the date of the state court decision, especially after asking counsel several times. Then when counsel finally responded on August 8, 2025, counsel still provided an incorrect date of the state court order, but based on that the Michigan law firm was able to research the matter and discover the correct date and Lexis citation cited herein above.

A petition to this Court will address, inter alia, two crucial issues; (1) Petitioner Vreeland is more than 15 years past his maximum statutory release date, and (2) the trial court and prosecutors office lacked subject and personal jurisdiction over the criminal charges, case and Petitioner Vreeland, and suppressed this information from 2006 until 2023 when the trial judge retired and left the relevant proofs in his office desk upon departure. Petitioner Vreeland notes; that judge also left five-thousand-one-hundred and two illegally recorded telephone calls between Petitioner Vreeland and his counsels of record at the time of arrest, trial and sentence in the same desk which only state actors were aware of the judge possessing and reviewing with the prosecutors office and police.

Finally, this request for time is being placed in the inmate legal mail system at the Colorado Department of Corrections, Sterling Correctional Facility, Unit 5 office, postage paid, on Sunday, August 10, 2025, the date the actual petition for certiorari would be due if it was not a Sunday. As such, this Court has jurisdiction as this motion is filed prior to the expiration of the original 90-days, and Petitioner Vreeland asserts that good cause and extraordinary

circumstances has been shown as to why he did not submit this request prior to this date, and has shown that he had no known reason to do so, but acted on this matter immediately as soon as he was advised of the circumstances he was in, but couldn't obtain copy of said order.

WHEREFORE, for the reasons stated herein, Petitioner Vreeland respectfully requests that this Court would GRANT Petitioner Vreeland a 60-day extension of time in which to file a Petition for a Writ of Certiorari to this Court regarding Colo. S. Ct., case 25SC147, supra.

Respectfully submitted this 10th day of August, 2025.

Delmart Vreeland
Petitioner, Pro Se
CDOC No. 143530
P.O. Box 6000 - SCF
Sterling, Colorado 80751

MAILBOX RULE STATEMENT

I certify I placed the enclosure into the CDOC/SCF inmate legal mail system on 8/10/2025, all postage paid, addressed to the Clerk of the U.S. Supreme Court, effectuating filing of this application as of 8/10/2025; further, I served one copy by mail to Colorado Attorney General, 1300 Broadway, Denver, CO 80203, this same date, postage paid in full. Both envelopes were handed to prison legal mail system staff this same date and registered in the legal mail logs for August 10th, 2025.

Delmart Vreeland
Petitioner, Pro Se

Delmart Edward Vreeland, Petitioner v. The People of the State of Colorado Respondent

No. 25SC147

Supreme Court of Colorado, En Banc

May 12, 2025

Court of Appeals Case No. 22CA1704

DENIED PETITIONS FOR WRIT OF CERTIORARI

Petition for Writ of Certiorari Pursuant to C.A.R. 50 DENIED.