

Rodney Vance Frith # 1273826  
Centralized Mail Dist. Cntr  
3521 Woods Way  
State Farm, Va. 23160

No. 25-6246  
(7:22-cv-00389-RSB-JCH)

10/30/2025

To: Clerk of Supreme Court, Judge

Please send any pertinent forms to effect a proper filing of Appeal, and information of court rules, timeliness.

Being there is a scheduled re-section of a toe or all toes to left foot, I am seeking an extension of time, as medical knee with daily dressing changes, and infection for 3 weeks no antibiotics, led to a 4 day visit to VCU, for 10 bags of intravenous antibiotics, and further future amputation.

Being the Drs suggested transmetatarsal (all toes) would require extensive surgeries, and long hospital stay.

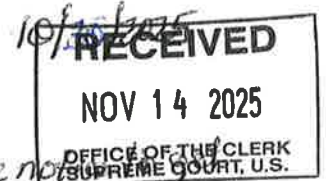
I was granted forma pauperis in Fed. Dist. Court, Roanoke and have paid off, filed in Fed Appellate Court, and paying on. I intend to file Forma Pauperis to Fed. U.S. Supreme Court. I am currently housed at Buckingham Court Cntr, in Dillwyn Va. 23936.

Please use the Cent. Mail Dist. Cntr, at top for return replies

Please know Appellate Court decision, Sept. 3<sup>rd</sup>, 2025, did not receive until the 11<sup>th</sup>. Filed a Copy of Envelope, filed for Appoint. of Counsel and New evidence on about the 11<sup>th</sup> of Oct. 2025. The Motion for Counsel denied and Oct. 29, 2025, filed by court 21 day rule. Note pending motions stop filing, and on Nov. 2, gave notice of rehearing, appeal. No notice of since from Appellate Court. I am trying to comply with court. I had given need of Counsel for rehearing & evidence, see about 17<sup>th</sup> of Oct 2025, to gather said evidence laid-out that was denied.

Respectfully

Rodney Vance Frith



Note; Prison only have C/D Lexis Nexis law library. It takes a week no appointment to law library, then week following to go there. Average time delay to Cent. Mail Dist. Cntr is 6-8 days. Exhibit of envelopes sent to App. Ct. Va last reply on Oct. 2, 2025. Due to issues this is only notice to anyone.

IN THE  
SUPREME COURT OF THE UNITED STATES  
FOR THE FOURTH CIRCUIT

10/30/2025

No. 25-6246 (7:22-cv-00389-RSB-JGH)

Rodney Vance Frith  
Plaintiff, Appellant, Pro-Se

) MOTION FOR EXTENSION  
) OF TIME

v.

Harold Walter Clarke et al  
Defendants, Appellees

COMES NOW, Plaintiff, Rodney Vance Frith, Appellant, seeking an Motion  
For Extension of Time, which under circumstances would be granted for  
such cause under Fed. R. Civ. Proc. Rule 6, (b), (1), Extending Time, ... good cause.  
Plaintiff, states the following in support of;

- 1) Plaintiff, was recently hospitalized, at VCU, from Oct 17 thru 21, from daily bandage change, of an infected toe known to medical at BRCC, for 3 weeks, beet red, and not given intravenous antibiotics, nor any during his last 3 oral antibiotics failed, and received 10 doses of antibiotics intravenously, and will be scheduled for resection of 4th digit, left foot, at a minimum. Doctors at VCU, wanted to remove all the toes, and is scheduled to meet with a bone specialist soon. A transmetatarsal requires months of intensive treatment, and a longer hospital term.
- 2) Issues trying to get into Law Library, request takes a week. If you are not on the list, put in another request,
- 3) Plaintiff, states, you only receive one hour a day, and 41 days a week
- 4) Copies require some procedure. Certainly, hard to meet, respond, deadlines.
- 5) Centralized Mail Dist. Ctr, further impedes receipt of orders, decrees, etc days proffered to Appellate Court.
- 6) Plaintiff's, property will likely be packed-up, as it took 26 days to receive property when sent here. Property came with delay, and with no letter, stamps, envelope, can not write to court to update.

WEREFORÉ, such cause is given, plaintiff, asks that the court, grant 30 days, and if word of further medical issues, to Contact BRCC, and/or family call court for update. Plaintiff so prays.

• Plaintiff is housed at BRCC, 1349 Carr Ctr, Road  
Dillon, Va. 22436

Respectfully,  
Rodney Vance Frith

**UNPUBLISHED**

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

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**No. 25-6246**

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**RODNEY VANCE FRITH,**

**Plaintiff - Appellant,**

**v.**

**KYLE SMITH; INTERESTED PARTY,**

**Defendants - Appellees.**

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**Appeal from the United States District Court for the Western District of Virginia, at  
Roanoke. Robert S. Ballou, District Judge. (7:22-cv-00389-RSB-JCH)**

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**Submitted: August 28, 2025**

**Decided: September 3, 2025**

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**Before GREGORY, QUATTLEBAUM, and HEYTENS, Circuit Judges.**

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**Affirmed by unpublished per curiam opinion.**

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**Rodney Vance Frith, Appellant Pro Se. Grace Morse-McNelis, FRITH, ANDERSON &  
PEAKE, PC, Glen Allen, Virginia, for Appellee.**

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**Unpublished opinions are not binding precedent in this circuit.**

**PER CURIAM:**

Rodney Vance Frith appeals the district court's order denying relief on his 42 U.S.C. § 1983 complaint alleging deliberate indifference to his serious medical needs. We have reviewed the record and find no reversible error. Accordingly, we deny Frith's motion for leave to amend, deny Smith's motion to file a surreply, and affirm the district court's order. *Frith v. Smith*, No. 7:22-cv-00389-RSB-JCH (W.D. Va., Sept. 30, 2024). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*

CERTIFICATES

The undersigned hereby attests, under penalty of perjury, that the statements in the foregoing document are true and accurate to the best of his knowledge, ability and belief. Statements made upon "information and belief" are made in good faith.

Rodney Vance FARA

I attest the original of the foregoing document is mailed this 30<sup>th</sup> day of October, 2025, by depositing said document into the prison's internal mail system, first class postage prepaid, and addressed to: Clerk, <sup>US Supreme</sup> Circuit Court of United States, Civil Division, (122-cv-00389-RSB-JCH)  
Box 25-6246

I further attest a true copy of the document was sent to the Respondent or Counsel for Respondent on the same date as above, first class postage prepaid, and addressed as: Office of the Attorney General, Public Safety and Criminal Justice Division, 202 North 9<sup>th</sup> Street, Richmond, Virginia 23219

NOTARY:

SUBSCRIBED AND SWORN BEFORE ME this 30 day of October, 2025, by my hand and seal.

My Commission Expires: 9/30/2026



CA Bryant  
Notary Signature

## CERTIFICATE OF SERVICE

I hereby certify that on this 30<sup>th</sup> day of October, 20 25, a true and complete copy of the foregoing was deposited in the Buckingham Correctional Center's Institutional Mailbox, postage and fees paid, for processing to:

United States Supreme Court  
1 First Street, N.E.  
Washington, D.C. 20543

Rodney Vance Frith  
Pro Se  
Buckingham Correctional Center  
Post Office Box 430  
Dillwyn, Va 23936

Cert Mail 9589 0710 5270 0226 5848 00

- \* An attempt was made to this court on 10/28/25, to mail, with above address, marked Legal Mail, was opened and returned. It was the correct address. No copy of envelope was given, by prison mail. No cancelled stamp, nor meter mail number as not returned to show.