

IN THE UNITED STATES SUPREME COURT

COREY CORTEZ

v.

ERIC GUERRERO

S S S S S

USAP 24-50785

MOTION TO DIRECT THE CLERK TO FILE THE PETITION FOR
WRIT OF CERTIORARI OUT OF TIME

TO THE HONORABLE JUSTICES OF THIS COURT:

COMES NOW Corey Cortez, Pro se in the above styled Civil Action numbered, and files this motion to direct the clerk of this court to file his petition for writ of Certiorari out of time, and in support of this motion shows:

I.

On March 12, 2025, Petitioner's Certificate of Appealability was denied. When he received the Fifth Circuit's order there was no written opinion attached or publish opinion to appeal his case. He received the Fifth Circuit's written order on April 9, 2025, and mail does not run on Federal holidays. Because of this he respectfully contends he filed a timely writ of Certiorari.

I.

PRAYER

WHEREFORE PREMISES CONSIDERED, Petitioner prays this Honorable court grant this motion.

CERTIFICATE OF SERVICE

I, Carey Cortez, the Petitioner declares that a correct and true copy of the aforementioned has been placed in the TOCJ mail box and sent to the United States Supreme Court Clerk at Washington, DC 20543-0001 on this 12th day of August 2025.

Respectfully Submitted



Corey Cortez

TOCJ - ID 01781679

James Lymaugh unit

1098 South Highway 2037

Fort Stockton, Texas 79735

July 14, 2025

Office of the Clerk

Supreme Court of the United States
Washington D.C. 20543-0001

RE: Cortez v. Guerrero
USAPS 24-57085

By one day, my writ of Certiorari was denied by this court. I am respectfully asking the time to file my writ may be reevaluated. recalculated. By excluding the six (6) Federal Holidays we had since March.

Enclosed is my original writ of Certiorari. In hope and prayer this Court may consider I filed a timely petition. Also my motion for rehearing was denied May 6, 2025.

Sincerely,

Corey Cortez



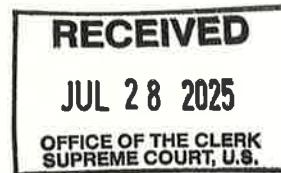
Corey Cortez

TDCJ-ID NO. 01781679

James Lynaugh Unit

1098 South Highway 2037

Fort Stockton, Texas 79735



**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

July 29, 2025

Corey Cortez
TDCJ No. 01781679
James Lynaugh Unit
1098 South Highway 2037
Fort Stockton, TX 79735

RE: Cortez v. Guerrero
USAP5 24-50785

Dear Mr. Cortez:

The above-entitled petition for a writ of certiorari was originally postmarked June 11, 2025 and received again on July 28, 2025. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was March 12, 2025. Therefore, the petition was due on or before June 10, 2025. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

If you wish to proceed, you may file your petition with a "Motion to Direct the Clerk to File the Petition for a Writ of Certiorari Out of Time."

Sincerely,
Scott S. Harris, Clerk
By: 
Sara Simmons
(202) 479-3023

Enclosures