

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

Supreme Court of The United States

Linda A. Logan  
Ephraim E. Logan  
Petitioner

VS.  
Heather Antaya,  
Lynne Townsend  
Respondent

Motion To Direct The Clerk To  
File Out of Time.

ProSe: Linda A. Logan  
ProSe: Ephraim E. Logan  
P.O. Box 45  
Providence R.I. 02901  
(401) 895-9344  
lap60logan@gmail.com

RECEIVED

SEP 12 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

## Motion

To Direct the Clerk to File  
Out of Time.

Petitioners, Linda St. Logan and Ephraim  
E. Logan, Petition of Writ of Certiorari, is  
out of time, because, Petitioner, Linda St.  
Logan, had noticed that Rule 13(c) of the  
rules of the Supreme Court of the United  
States, was not written clearly enough for  
my understanding, to compute 90 days to  
file the Petition of Writ of Certiorari.

In the booklet of rules on page 9. It is written :

A Petition for a Writ of Certiorari to review a judgement in any case... is timely when it is filed with the clerk of this court within 90 days after entry of the judgement.

See: Rule 13(1) attached to motion.

OF the IFP Packet and Memorandum for paid petitions 13. Time For Filing. It's written as: You have 90 calendar days... from the date of entry of judgement. See: Memorandum of rule 13, on page 6., attached to motion, as well.

90 calendar days, instead of, 90 days, makes it better in understanding, do Petitioner, Linda A. Logan, do calculate, when the Petition of Writ of Certiorari, is to be filed, with the Clerk of this court, instead of calculating 90 business days, which I had done.

For these reasons "above", Petitioners, Linda A. Logan and Ephraim E. Logan, Petition of Writ of Certiorari, was considered late by, United States Supreme court clerk, Lisa Nesbit. See: Attached to motion, Clerk's notice, dated July 17, 2024.

Therefore, we the Petitioners, Linda A.  
Logan and Ephraim E. Logan, would like the  
United States Supreme Court Clerk/s, to  
file this Motion, along with, Petitioner/s,  
Petition of Writ of Certiorari.

Respectfully Submitted,

Petitioner: Linda St. Logan

P.O. Box 45

Providence R.I. 02901

(401) 895-9344

lap60.logan@gmail.com

Petitioner: Ephraim Logan

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

July 17, 2024

Linda Logan  
P.O. Box 45  
Providence, RI 02901

RE: "Motion for Time to File Petition for a Writ of Certiorari"  
Logan, et al. v. Antaya, et al.; USCA1 No. 23-1808

Dear Ms. Logan:

The enclosed papers were received on July 16, 2024. These papers fail to comply with the Rules of this Court and are herewith returned.

You may seek review of a decision only by filing a timely petition for writ of certiorari. The papers you submitted are not construed to be a petition for writ of certiorari.

In this instance, if you chose to file a petition for writ of certiorari for the above-entitled case, the petition would be considered out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was March 21, 2024. Therefore, the petition was due on or before June 19, 2024. 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.

Sincerely,  
Scott S. Harris, Clerk

By:

Lisa Nesbitt  
(202) 479-3038

Enclosures

petition need not be reproduced again. Respondent shall pay the Rule 38(a) motion for leave to proceed *in forma* of the cross-petition shall indicate additional cross-petition. The cross-laced on the docket, subject to the

It is the cross-petitioner's duty toents promptly, on a form supplied by of filing, the date the cross-petition ket, and the docket number of the ice shall be served as required by ion for a writ of certiorari may not er pleading, except that any motion *forma pauperis* shall be attached. dditional cross-petition will not be

proceeding in the court whose judges viewed are deemed parties entitled Court, unless the petitioner notifies in writing of the petitioner's belief parties below have no interest in the n. A copy of such notice shall be rule 29 on all parties to the proceed- cted as no longer interested may re- ng the Clerk promptly, with service an intention to remain a party. All etitioner are considered respondents, supports the position of a petitioner er's time schedule for filing docu- g exception: A response of a party below who supports granting the pe- in 30 days after the case is placed on e will not be extended. Counsel for nsure that counsel of record for all its intention to file a brief in support e case is placed on the docket. A with petitioner below who supports a respondent aligned with petitioner

below who takes the position that the petition should be denied, is not subject to the notice requirement and may file a response within the time otherwise provided by Rule 15.3. Parties who file no document will not qualify for any relief from this Court.

7. The clerk of the court having possession of the record shall keep it until notified by the Clerk of this Court to certify and transmit it. In any document filed with this Court, a party may cite or quote from the record, even if it has not been transmitted to this Court. When requested by the Clerk of this Court to certify and transmit the record, or any part of it, the clerk of the court having possession of the record shall number the documents to be certified and shall transmit therewith a numbered list specifically identifying each document transmitted. If the record, or stipulated portions, have been printed for the use of the court below, that printed record, plus the proceedings in the court below, may be certified as the record unless one of the parties or the Clerk of this Court requests otherwise. The record may consist of certified copies, but if the lower court is of the view that original documents of any kind should be seen by this Court, that court may provide by order for the trans- port, safekeeping, and return of such originals.

### Rule 13. Review on Certiorari: Time for Petitioning

1. Unless otherwise provided by law, a petition for a writ of certiorari to review a judgment in any case, civil or criminal, entered by a state court of last resort or a United States court of appeals (including the United States Court of Appeals for the Armed Forces) is timely when it is filed with the Clerk of this Court within 90 days after entry of the judgment. A petition for a writ of certiorari seeking review of a judgment of a lower state court that is subject to discretionary review by the state court of last resort is timely when it is filed with the Clerk within 90 days after entry of the order denying discretionary review.

telephone numbers of counsel indicating the name of the party or parties each counsel represents. Rule 29.5. If the proof of service is signed by a member of the Bar of this Court, notarization is not needed. If it is executed by one who is not a member of the Bar of this Court, the signature must be either notarized or be accompanied by a declaration in compliance with 28 U. S. C. §1746. Rule 29.5(c). The certificate of service is not to be included in the bound petition.

## **12. Certificate of Compliance**

The petition for a writ of certiorari must be accompanied by a certificate signed by the attorney, the unrepresented party, or the preparer of the document stating that the petition complies with the word limitation. The person preparing the certificate may rely on the word count of the word-processing system used to prepare the petition. The word-processing system must be set to include footnotes in the word count. The certificate must state the number of words in the petition. The certificate should accompany the petition when it is presented to the Clerk for filing and shall be separate from it. If the certificate is signed by a person other than a member of the Bar of this Court, the counsel of record, or the unrepresented party, it must contain a notarized affidavit or declaration in compliance with 28 U. S. C. §1746. A sample certificate of compliance that may be followed as to form is attached to this memo.

## **13. Time for Filing**

You have 90 calendar days, not three months, from the date of entry of judgment, order or opinion, or the date a timely filed petition for rehearing is denied, or a subsequent judgment based on the grant of the petition for rehearing, within which to file with the Clerk a petition for a writ of certiorari. Rules 13.1 and 13.3. The time to file does not begin to run when the mandate, remittitur, rescript, or similar document issues or is filed in the lower court. Rule 13.3. In order for the petition to be timely filed, it must either be received by the Clerk of the Court within those 90 days or be sent to the Clerk by first-class United States Postal Service, including express and priority mail, postage prepaid, and bearing a postmark, other than a commercial postage meter label, showing that the document was mailed on or before the last day for filing; or if it is delivered on or before the last day for filing to a third-party commercial carrier for delivery to the Clerk within three calendar days.