

IN THE SUPREME COURT
OF THE UNITED STATES

Garrick Miller #13607

V.

STATE OF MISSISSIPPI, ET AL.

NO.

NOTION TO DIRECT THE CLERK TO
FILE PETITION FOR WRIT OF
CERTIORARI OUT OF TIME, OR IN
THE ALTERNATIVE, TO ACCEPT CORRECTED
PETITION AND APPENDIX

Petitioner Garrick Miller, proceeding pro se,
respectfully moves this court for leave to
file a corrected Petition for writ of
certiorari and states as follows:

1. Procedural Background

Petitioner previously submitted filings seeking
review arising from Mississippi Supreme Court
Case NO. 2023-CT-00322-SCT and related
Federal habeas proceedings on May 8, 2024
the clerk returned the filing due to
Procedural deficiencies including:

- * inclusion of multiple cover pages,
- * uncertainty as to the relief requested,
- * Rule 39 deficiencies regarding indigency documentation
- * and timeliness concerns.

Petitioner now seeks to cure these defects through a single, corrected filing directed specifically to the federal habeas proceedings and subsequent denial of relief by the United States Court of Appeals for the FIFTH CIRCUIT.

2. Extraordinary Circumstances Exist

This case presents extraordinary and exceptional circumstances involving:

- * Allegations of void custody,
- * unlawful revocation proceedings,
- * Structural Jurisdictional defects,
- * and continued incarceration allegedly beyond lawful Authority.

Petitioner's claims are not ordinary sentencing disputes. Rather, Petitioner asserts that:

1. The state lacked continuing Jurisdiction to revoke Supervision in 2022,
2. Multiple discharge records and MDOC documents reflect termination or expiration of prior custody authority,
3. The 2022 revocation proceeding was not Lawfully tethered to the original 2000 conviction,
4. The revocation proceeding was entered under irregular procedures and delayed docketing;
5. and federal review was denied despite documentary evidence raising substantial questions concerning lawful custody.

III. GOOD FAITH FILING ERROR

Petitioners earlier filing confusion arose from attempting simultaneously to present:

- * State certiorari issues,
- * federal Habeas issues,
- * and Supplemental Jurisdictional evidence

Petitioner did not act in bad faith and respectfully submits that the procedural defects

were curable clerical and formatting errors by a pro se incarcerated litigant.

4. Substantial constitutional questions

The corrected Petition raises substantial Federal Questions including:

- Due process violations under the fourteenth Amendment,

- Unlawful restraint of liberty,

- Denial of Meaningful federal habeas review,

- Structural Jurisdictional defects,

and whether reasonable Jurists could debate the legality of continued custody where discharge materials conflicts.

5. INTEREST OF JUSTICE FAVOR REVIEW

This court has recognized that extraordinary Rule 60(b)(6) and habeas circumstances may warrant review where procedural barriers prevent adjudication of substantial constitutional claims.

(See)

- * Buck V. Davis
- * Gonzalez V. Crosby
- * Slack V. McDaniel
- * Miller-El V. Cockrell

Petitioner respectfully submits that the present matter concerns not merely sentencing errors but whether the state may continue custody under allegedly void or expired authority.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED

Petitioner respectfully request that this Court:

1. Accept the corrected petition for writ of certiorari,
2. Permit filing out of time in the interests of justice,
3. Accept the corrected Appendix and indigency materials
4. Direct the clerk to docket the matter
5. And grant such other relief as may be just and proper

Respectfully submitted

Garrick L. MILLER

Subscribe and sworn to before me
in my presence this 2 day of June 2020
a Notary Public in and for the County
of Lauderdale State of MS
Casey Newell

(Signature) of Notary Public

My COMMISSION EXPIRES Jan 18 2029



CERTIFICATE OF SERVICE

This is to certify that I have this date, caused to be mailed, via United States Mail,
postage pre-paid, a true and correct copy of the above and foregoing Pleading to:

OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED
STATES

WASHINGTON, DC 20543-0001

SO CERTIFIED, this the 1 day of June, 20 26.

Garrick L. Miller
Petitioner

MDOC #

13607

Address

10641 HWY 80 West

Address

Meridian, MS 39307

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

COPY

May 8, 2026

Garrick Miller
#13607
EMCF
10641 Hwy 80 West
Meridian, MS 39307

RE: In Re Miller
Miller v. MS, MS SC 2023-CT-00322-SCT

Dear Mr. Miller:

The above-entitled petition was postmarked March 9, 2026 and received March 20, 2026. The papers are returned for the following reason(s):

It is unclear what you are seeking to file. Your submission includes two distinct cover pages, one seeking a petition for writ of certiorari and one seeking a petition for a writ of habeas corpus. Please submit one cover page, in compliance with the Rules of this Court.

Please be advised that to the extent that you are seeking review of MS SC case no. 2023-CT-00322, the petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was July 23, 2025. Therefore, the petition was due on or before October 21, 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.

The notarized affidavit or declaration of indigency does not comply with Rule 39 in that it contains the full name of a minor child. Please redact the name of the minor child in accordance with Rule 34.6 of the Rules of this Court.

Sincerely,
Scott S. Harris, Clerk
By:

COPY

Sara Simmons
(202) 479-3023

Enclosures