

ANDREW FIELDS #1544093
GOVERNEUR CORRECTIONAL FACILITY
P.O. BOX 370
GOVERNEUR, NEW YORK 13642

6/9/24

UNITED STATES SUPREME COURT
ASSOCIATE JUSTICE KETANJI BROWN
C/O CLERK OF THE COURT
WASHINGTON, D. C. 20554

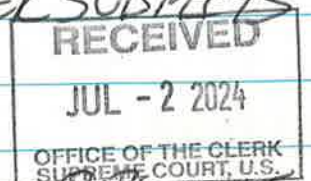
RE: APPLICATION FOR EXTENSION OF TIME FOR FILING
PETITION FOR A WRIT OF CERTIORARI

TO: THE HONORABLE KETANJI BROWN, ASSOCIATE
JUSTICE OF THE SUPREME COURT

PETITIONER, ANDREW FIELDS, PRO-SE, PRAYS THAT AN ORDER
BE ENTERED PURSUANT TO SUPREME COURT RULES 13
AND 30.1 EXTENDING THE TIME OR IN THE ALTERNATIVE
STAYING THE TIME WITHIN WHICH PETITIONER'S PETITION
FOR A WRIT OF CERTIORARI MUST BE FILED FROM ITS
PRESENT DATE OF JUNE 20, 2024 TO A DECISION DATE
IS MADE ON PETITIONER'S MOTION IN THE STATE COURT.

IN SUPPORT OF THIS MOTION, PETITIONER SUBMITS
THE FOLLOWING:

1. THIS COURT'S JURISDICTION IS INVOKED PURSUANT
TO 28 U.S.C. § 1254 (1).



2. ON MARCH 13, 2024, THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT ISSUED ITS OPINION AFFIRMING THE JUDGEMENT OF THE FEDERAL DISTRICT COURT IN ANDREW FIELDS V. N.Y.S.D.O.C.C.S., NO. 20-CV-00009. THAT OPINION IS PUBLISHED AS 2023 WL 6292479 AND A COPY OF THE UNITED STATES COURT OF APPEALS DECISION IS ATTACHED HERETO.

3. PETITIONER RECOGNIZES THAT APPLICATIONS FOR EXTENSIONS OF TIME TO FILE PETITIONS FOR CERTIORARI ARE NOT FAVORED. PETITIONER ALSO RECOGNIZES THAT APPLICATIONS NOT RECEIVED BY THIS COURT WITHIN 10 DAYS OF THEIR DUE DATE WILL ONLY BE GRANTED IN EXTRAORDINARY CIRCUMSTANCES. PETITIONER, BELIEVES, HOWEVER, THAT HE MEETS THE EXTRAORDINARY CIRCUMSTANCES REQUIREMENT IN THIS CASE BECAUSE OF PETITIONER FILING A MOTION IN THE LOWER COURT PURSUANT TO NEW YORK STATE CRIMINAL PROCEDURE LAW 440.10 FOR A MOTION TO VACATE JUDGEMENT PERTAINING TO THIS MATTER ON MARCH 29, 2024. THE LOWER COURT SENT PETITIONER A RESPONSE STATING THAT SAID APPLICATION WAS PLACED ON THE MOTION CALENDAR FOR 5/14/24. COPY OF THAT LETTER IS ATTACHED HERETO. I WROTE THE LOWER COURT ON 6/3/24 REQUESTING AN UPDATE ON THE DECISION OF MY MOTION WHICH I HAVE NOT BEEN RESPONDED TO AS OF YET. A COPY OF THAT LETTER IS ATTACHED HERETO.

I FILED THAT APPLICATION IN THE LOWER COURT TO EXHAUST MY REMEDIES, SO THAT IT WILL BE PRESERVED AND INTENDS TO RAISE IN THIS COURT IN THIS CASE. BEFORE I DO SO, HOWEVER, I WOULD LIKE THE OPPURTUNITY TO OBTAIN A DECISION

ON MY MOTION IN THE LOWER COURTS. BECAUSE PETITIONER DOES NOT KNOW HOW LONG THAT WILL TAKE, HE IS ASKING UNTIL A DECISION IS MADE ON THE LOWER COURT APPLICATION TO EXTEND HIS TIME TO FILE HIS PETITION FOR A WRIT OF CERTIORARI, HE IS HOPEFUL HE WILL BE ABLE TO FILE HIS PETITION AS SOON AS PRACTICABLE.

WHEREFORE, PETITIONER RESPECTFULLY REQUESTS THAT AN ORDER BE ENTERED EXTENDING THE TIME WITHIN WHICH HE MAY FILE HIS PETITION FOR WRIT OF CERTIORARI.

THANK YOU FOR YOUR TIME AND HOPE TO HEAR FROM YOU AS SOON AS PRACTICABLE.

RESPECTFULLY SUBMITTED,
~~ANDREW FIELDS~~
ANDREW FIELDS
#15A4093
GOUVERNEUR C.F.
P.O. BOX 370
GOUVERNEUR, NEW YORK 13642

CC: U.S. SUPREME COURT / JUSTICE KETANJI BROWN
FILE / A.F.

CERTIFICATE OF SERVICE

6/9/24

STATE OF NEW YORK) SS. ∴
COUNTY OF ST. LAWRENCE)

I, ANDREW FIELDS, PRO-SE, DEPOSEES AND SAYS,
THAT I AM THE PETITIONER HEREIN AND THAT ON THE DATE OF 6/9/24
INDICATED ABOVE, I HAVE PLACED IN A SEALED POSTPAID WRAPPER A TRUE
AND EXACT COPY OF THE ENCLOSED PAPERS IDENTIFIED AS A APPLICATION
FOR EXTENSION OF TIME FOR FILING PETITION FOR A WRIT OF
CERTIORARI WITH ATTACHMENTS BY DEPOSITING SAME IN A MAIL BOX
AT THE GOVERNEUR CORRECTIONAL FACILITY FOR DELIVERY TO THE UNITED
STATES MAIL ADDRESS TO THE PARTIES LISTED BELOW:

UNITED STATES SUPREME COURT
ASSOCIATE JUSTICE KETANJI BROWN
C/O CLERK OF THE COURT
UNITED STATES COURTHOUSE
WASHINGTON, D.C. 20554

RESPECTFULLY SUBMITTED,
Andrew Fields
ANDREW FIELDS
GOVERNEUR C.F.
P.O. BOX 370
GOVERNEUR, NEW YORK 13642

ATTACHMENT #1

COPY OF U.S COURT OF APPEALS

DECISION.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13th day of March, two thousand twenty-four.

Present:

Robert D. Sack,
William J. Nardini,
Myrna Pérez,
Circuit Judges.

Andrew Fields,

Petitioner-Appellant,

23-7349

v.

N.Y.S.D.O.C.C.S.,

Respondent-Appellee.

Appellant, pro se, moves for a certificate of appealability and in forma pauperis status. Upon due consideration, it is hereby ORDERED that a certificate of appealability is DENIED because Appellant has not “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c); *see Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). The motion for in forma pauperis status is DENIED as unnecessary. Fed. R. App. P. 24(a)(3).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court




ATTACHMENT #2

COPY OF NYS SUPREME COURT
NOTIFICATION OF MOTION CALENDAR
DATE.



**Supreme Court State of New York
125-01 Queens Boulevard
Kew Gardens, NY 11415**

APRIL 11, 2024

People v. ANDREW FIELDS

Indictment 2916/13

I/I ANDREW FIELDS
DIN # 15A4093
GOUVERNEUR CORR. FACILITY
PO BOX 370
GOUVERNEUR, NY 13642

Sir or Madam:

We have received your application for the following relief:

Motion to MOTION TO VACATE JUDGMENT

The application will be placed on the Motion Calendar 5/14/24 in Part K-20

MOTION MUST ALSO BE SERVED TO THE QUEENS COUNTY DISTRICT ATTORNEY

The Queens Supreme Court Motion Department

ATTACHMENT #3

COPY OF LETTER TO NYS SUPREME
COURT ASKING FOR UPDATE/DECISION.

ANDREW FIELDS #15A4093

6/3/24

GOVERNEUR CORRECTIONAL FACILITY

112 SCOTCH SETTLEMENT ROAD, P.O. BOX 370

GOVERNEUR, NEW YORK 13642

NEW YORK STATE SUPREME COURT

QUEENS COUNTY, MOTION DEPARTMENT

125-01 QUEENS BOULEVARD

KEN GARDENS, NEW YORK 11415

RE: PEOPLE V. ANDREW FIELDS IND. # 2916/13

MOTION TO VACATE JUDGEMENT, PART-K 20

HELLO MY NAME IS ANDREW FIELDS AND I'M SENDING THIS IN REFERENCE WITH THE ABOVE MENTIONED MATTER. I SUBMITTED A APPLICATION FOR A MOTION TO VACATE JUDGEMENT PURSUANT TO CPL 440.10 WHICH WAS PLACED ON THE MOTION CALENDAR FOR 5/14/24. I DID NOT RECEIVE THE DECISION OF THE COURT, CAN YOU PLEASE LET ME KNOW IF MY MOTION WAS GRANTED OR DENIED. PLEASE INFORM ME OF YOUR RECEIVING THIS REQUEST. THANK YOU FOR YOUR TIME AND HOPE TO HEAR FROM YOU AS SOON AS PRACTICABLE.

RESPECTFULLY SUBMITTED,

Andrew Fields

ANDREW FIELDS

#15A4093

GOVERNEUR C.F.

CC: FILE / A.F.

NYS SUPREME COURT, QUEENS COUNTY