

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

FILED
1:15 pm, Apr 29, 2019
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
Laura A. Briggs, Clerk

Lawrence Nunley,)
)
Petitioner,)

-vs-

Cause No. 2:19-cv-00012-JRS-DLP

Richard Brown, Warden,)
Wabash Valley Corr. Fac.)
)
Respondent.)

SCANNED at WVCF and Emailed on
4/29/19 by OC - 3 pages.
(date) (initials) (num)

MOTION FOR AN EXTENSION OF TIME

Comes now the Petitioner, Lawrence Nunley, *pro se*, and respectfully asks this Honorable court to grant him a 30-day extension of time to file his Response to the Respondent's Return to Order to Show Cause. In support, Nunley states to this Honorable Court as follows:

1. The Petitioner has filed a petition for a writ of *habeas corpus*, challenging his state court convictions.
2. The Respondent was given an extension of time in which to complete the Respondent's Return to Order to Show Cause.
3. The Petitioner requests that the current deadline be extended by a period of 30 days.
4. The Petitioner lost nearly 2 weeks as a result of having to wait for the Respondent's Return to Order to Show Cause to arrive via the United States Mail. The Petitioner did not receive the argument until April 23, 2019 after law library had run. This prevents the Petitioner from having access to the LexisNexis legal database available at the facility until April 30, 2019.

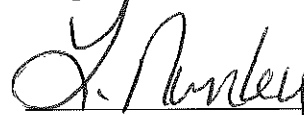
5. May 5-11, 2019 is corrections weeks, which will cause lockdowns and disrupt normal facility operations, including law library services. Moreover, May 7, 2019 is a state holiday, which disrupts the law library schedule for the Petitioner's housing unit for that week even if normal facility operations are not impacted that day due to corrections week.

6. The Petitioner only has access to the legal library for one two-hour session per week.
7. The Respondent has alleged that the Petitioner's claims are procedurally barred. The Petitioner must do legal research to find relevant legal authorities to support his arguments.
8. Moreover, the two-hour legal library session must be split between doing legal research and typing the Petitioner's Response to the Respondent's Return to Order to Show Cause.
9. The Petitioner has limited computer knowledge and skills, which hinders his ability to complete the legal arguments in a more timely fashion.
10. The Petitioner only types approximately 10-15 words per minute, which is the reason that Petitioner needs additional time in order to complete the Traverse.
11. Library services have also been disrupted due to the loss of the North side library supervisor. Library services are now contingent upon the availability of other staff to fill in for this position. Therefore, cancelations can occur without notice.
12. The Petitioner is working diligently to complete his Response to the Respondent's Return to Order to Show Cause.

13. This motion is not brought for the purposes of delay but results from the Petitioner's unfortunate circumstance of incarceration.
14. The Respondent is not prejudiced by the granting of this motion.
15. The Petitioner brings this motion in good faith and believes that he is entitled to the relief sought.

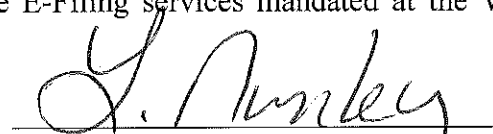
WHEREFORE, the Petitioner, Lawrence Nunley, prays that this Honorable Court will **GRANT** his request for an extension of time by a period of thirty (30) days, and for all other relief deemed just and appropriate.

Respectfully submitted,


Lawrence Nunley

CERTIFICATE OF SERVICE

I, Lawrence Nunley, hereby verify, under the penalties for perjury, that on the 29th day of April 2019, a true and accurate copy of the foregoing Notice to the Court was placed in the institutional mail, properly addressed to the prison's legal library and accompanied by the appropriate consent form and a request for E-Filing services. The Respondent was automatically served on the same date as this court through the E-Filing services mandated at the Wabash Valley Correctional Facility.


Lawrence Nunley

Lawrence Nunley
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