

United States Court of Appeals
For the Eighth Circuit

FILED

DEC 29 2014

MICHAEL GANS
CLERK OF COURT

No. : 14-1916

Christopher Deaton
Plaintiff-Appellant

v.

Arkansas Department of Correction, et al.
Defendants - Appellees

Appeal From U.S. District Court for the Eastern District of Arkansas - Helena
(2:12-cv-186-JLH)

Motion to Extend Time to File Petition For Rehearing

Comes now, Christopher Deaton, Plaintiff-Appellant, pro-se, and for his motion to Extend time to file petition for rehearing, and states:

1. I filed a timely notice of appeal from a judgment in this case and briefs were filed. This court filed its Opinion and Judgment on December 17, 2014. I was served with a copy of the Judgment on December 19, 2014.

RECEIVED

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U.S. COURT OF APPEALS
EIGHTH CIRCUIT

1.

2. Pursuant to FRAP 40, Federal Rules of Appellate Procedure, any petitions for rehearing and petitions for rehearing en banc must be received in the clerk's office within 14 days of the date of the entry of judgment. (I presume that the "mailbox" rule still applies for pro-se inmates.)

3. I was recently transferred to a lower security unit within the Arkansas Department of Correction. Upon arrival at Randall L. Williams Correctional Facility (RLW/CF), I was required to store a majority of my legal material at a separate location within the unit. The legal documents required to file an adequate petition for ~~hearing~~ hearing is in storage and will require several days to obtain permission to access these documents.

4. Christmas and New Years Day holidays fall squarely within the 14 days to file any petition for rehearing. The ADC usually has key officials taking vacation days during these holidays and obtaining these documents necessary to draft an adequate petition for rehearing from storage may be difficult at best.

5. The transfer to RLW/CF, and a previous transfer a week earlier, has caused me approximately three (3) weeks of back-log in drafting and filing documents regarding three (3) other on-going legal actions. (ie, Deaton v. ADC, et al., No. 14-3209 (8th Circuit); Deaton v. May, USDC No. 2:13-cv-136-KGB; and Deaton v. Smith, USDC No. 5:14-cv-230-JAH-BD.)

6. For the reasons stated herein, I request a fourteen (14) day extension of time to file a petition for rehearing in this case.

Respectfully Submitted,



Christopher Deaton
AOC # 143472
RLW/CF
7206 W. 7th St.
Pine Bluff, AR 71603

Certificate of Service

I, Christopher Deaton, hereby certify that on the 22 day of December, 2014, I mailed a copy of this Motion to Extend Time to File Petition for Rehearing, by depositing it in the prison legal mail system at the RLW/CF, Arkansas Department of Correction, to:

United States Court of Appeals
For the Eighth Circuit
Clerk's Office
111 S. Tenth St., Room 24.329
St. Louis, MO 63102



Christopher Deaton
ADC #143472