

IN THE
UNITED STATES COURT OF APPEALS
FIRST CIRCUIT

CARL ERIC OLSEN,	*	
in propria persona,	*	
	*	
Petitioner-Appellant,	*	07-1883
	*	
v.	*	
	*	
UNITED STATES,	*	
	*	
Respondent-Appellee.	*	Motion for Extension of Time to Pay the Filing Fee for the Appeal

MOTION FOR EXTENSION OF TIME

Pursuant to the Court's Order of September 19, 2007, requiring that the Petitioner pay the filing fee by September 28, 2007, the Petitioner requests an additional 28 days, to October 29, 2007, in which to pay the filing fee. Good cause exists for this motion.

The Petitioner has filed with this Court a Motion for Reconsideration of the orders requiring the Petitioner to submit a memorandum in support of an application for certificate of appealability.

The Petitioner has filed a Writ of Mandamus, No. 07-2310, with this Court to compel the United States District Court for the District of Maine to rule on his Petition for Writ of Error Coram Nobis under the correct statutes, 28 U.S.C. § 1651 and 28 U.S.C. § 2241, under which it was originally filed. If this Court grants the Petition for Writ of Mandamus, this appeal will become moot.

28 U.S.C. § 2255 is not the statute under which the original Petition for Writ of Error Coram Nobis was filed with the United States District Court. It is unlawful for this Court to perpetuate the error of the District Court by continuing to proceed under 28 U.S.C. § 2255.

In the interest of justice, the Petitioner now requests that his motion for extension of time be granted in order to resolve the issue of the motion for

reconsideration of the orders requiring the Petitioner to file a memorandum in support of an application for certificate of appealability and the Petition for Writ of Mandamus which may render the current appeal moot.

Respectfully submitted this 22nd day of September, 2007.

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IN PROPRIA PERSONA

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion for extension of time to pay the filing fee was mailed by first class mail on this 22nd day of September, 2007 to the following respondent:

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