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December 13, 1994

Ms. MaryAnne McMain
Clerk, United States Court of Appeals
for the District of Columbia Circuit
United States Courthouse
Room 5423
3rd and Constitution Avenue, N.W.
Washington, D.C. 20001

Re: Carl Eric Olsen v. Drug Enforcement Administration,
No. 94-1605

Dear Ms. McMain:

Pursuant to the Court's Order of December 8, 1994, I hereby show cause why my petition for review should not be dismissed, as follows:

1. I am not an attorney, and I am proceeding pro se because I cannot afford to hire an attorney.

2. My petition for review was filed on June 17, 1994, and the case was docketed as No. 94-8015, thirty-two days after the date of the final order (May 16, 1994) from which review is being sought.

3. My petition for review cites 28 U.S.C. § 2344 as the proper statute giving this Court jurisdiction to review a final order of the Drug Enforcement Administration, which gives the petitioner 60 days from the date of a final order in which to file a petition for review.

4. It now appears that I was mistaken, and that 21 U.S.C. § 877 is the proper statute giving this Court jurisdiction to review a final order of the Drug Enforcement Administration, which gives the petitioner only 30 days from the date of the final order in which to file a petition for review.

5. My petition for review was sent to this Court by certified mail on June 14, 1994, within the 30 days mandated by 21 U.S.C. § 877 and I have a receipt from the U.S. Postal Service showing this date.

6. If this case is dismissed, I will file another petition with the Drug Enforcement Administration and, if that petition is denied, I will then file another petition for review in this Court.

7. It would be a waste of both judicial and administrative resources if I had to file these petitions again.

Therefore, I request that this Court find: (1) that my petition was filed timely, since it was postmarked on June 14, 1994; or, in the alternative, (2) that any error on my part was harmless and non-prejudicial to the respondent, and that in the interest of justice this petition for review be allowed to proceed.

Sincerely,

Carl E. Olsen
(515) 243-7351

cc: Administrator
Department of Justice
Drug Enforcement Administration
1405 I Street, N.W.
Washington, D.C. 20537

Harry J. Matz
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