

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2017

GREGORY LANCE HENDERSON, Petitioner,

v.

STATE OF ALABAMA, Respondent.

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR WRIT OF CERTIORARI
TO THE ALABAMA COURT OF CRIMINAL APPEALS**

To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eleventh Circuit:

Pursuant to Supreme Court Rules 13 and 30, Petitioner Gregory Lance Henderson respectfully requests a 30-day extension of time to file his petition for certiorari in this Court:

1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).
2. On February 10, 2017, the Alabama Court of Criminal Appeals affirmed Mr. Henderson's conviction and death sentence. Henderson v. State, No. CR-12-0043, 2017 WL 543134 (Ala. Crim. App. Feb. 10, 2017) (Attached at Exhibit A). On May 26, 2017, the Alabama Court of Criminal Appeals denied Mr. Henderson's application for rehearing. (Attached at Exhibit B.) On September 22, 2017, the Alabama Supreme Court denied Mr. Henderson's Petition for Writ of Certiorari. (Attached at Exhibit C.)

3. Petitioner's time to file a certiorari petition in this Court currently expires on December 21, 2017. This application is being filed more than ten days before that date.

4. Petitioner is an inmate under a sentence of death, and his case raises serious constitutional issues that require careful presentation in his petition for certiorari.

5. Counsel has taken on Mr. Henderson's appeal in this Court pro bono but needs additional time to prepare the petition. Counsel currently is involved in many other death penalty cases, including numerous cases on direct appeal. Many of these cases have imminent filing deadlines and require counsel's immediate attention. Moreover, the State of Alabama has no system for providing legal representation to death row prisoners after the completion of their direct appeal. There are many Alabama death row prisoners currently without counsel facing filing deadlines in this Court, in state postconviction cases, and in the lower federal courts. Counsel is actively engaged in assisting these prisoners.

6. For these reasons, Mr. Henderson respectfully requests that an order be entered extending his time to file a petition for certiorari by 30 days, to and including, January 22, 2018.¹

¹The January 22, 2018 date accounts for January 20—the date on which a 30-day extension of time would fall—being a Saturday. See Sup. Ct. R. 30.

Respectfully submitted,

/s/Angela L. Setzer

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Dated: November 28, 2017