

No. A-\_\_\_\_\_

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In the  
Supreme Court of the United States

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October Term, 2017

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WARREN DARRELL RIVERS,

*Petitioner,*

*vs.*

THE STATE OF TEXAS,

*Respondent.*

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APPLICATION TO EXTEND TIME TO FILE  
PETITION FOR A WRIT OF CERTIORARI

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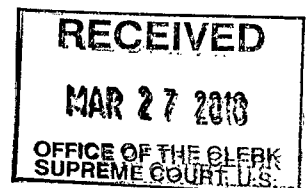
DIRECTED TO THE HONORABLE SAMUEL ANTHONY ALITO, JR.,  
ASSOCIATE JUSTICE OF THE UNITED STATES AND  
CIRCUIT JUSTICE FOR THE FIFTH JUDICIAL CIRCUIT

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Warren Darrell Rivers  
Execution No. 00000928  
Polunsky Unit: Death Row  
1400 FM 3452  
Palestine, Texas 75803

*Pro se*

DEATH PENALTY CASE



**TO THE HONORABLE SAMUEL ANTHONY ALITO, JR.,  
AS CIRCUIT JUSTICE FOR THE FIFTH JUDICIAL CIRCUIT:**

Petitioner Warren Darrell Rivers District, proceeding *pro se*, respectfully requests that the time to file a *Petition for a Writ of Certiorari* in this matter be extended for sixty (60) days up to and including May 19, 2018.

(1) On November 18, 2014, a jury in the 228<sup>th</sup> District Court of Harris County, Texas, found Petitioner guilty of Capital Murder and assessed his punishment at Death. (Attachment A).

(2) On December 20, 2018, the Texas Court of Criminal Appeals issued its opinion affirming the trial courts judgment and sentence of death. (Attachment B).

(3) Absent an extension of time, the Petition would therefore be due on March 21, 2018.

(4) This Court would have jurisdiction over the judgment and sentence of death under 28 U.S.C. §1257(a).

\* \* \* \*

The time to file a Petition for a Writ of Certiorari should be extended for sixty (60) days for these reasons:

(5) This is a capital case where a man has been condemned to death in violation of the Constitution of the United States.

(6) This case present substantial and important questions of fact and law.

(7) This case presents extraordinarily important issues warranting a carefully prepared Petition.

(8) Petitioner was appointed counsel in the underlying direct appeal in the Texas courts. (Attachment C). Appointed counsel, however, is not a member of the Bar of this Court, and is prohibited from filing a *Petition for Writ of Certiorari* in this matter. See SUP. CT. R. 9. Thus, additional time is needed to secure the assistance of a member of the Court's Bar to file the Petition.

(9) Additional time will be necessary and warranted for that counsel, *inter alia*, to become familiar with the record below, relevant legal precedents and historical materials, and the issues involved in this matter.

(10) No meaningful prejudice would arise from granting an extension in this matter.

(11) This extension is not sought for purposes of undue delay, or to harass and vex, but to present briefing worthy of this Honorable Court's attention and to protect Petitioner's constitutional rights as well as his fundamental right to life in this matter so as to ensure he has his day in court. *Coleman v. Alabama*, 377 U.S. 129, 133 (1964) (defendant "entitled to have his day in court").

\* \* \* \*

### CONCLUSION

For the foregoing reasons, the time to file a Petition for a Writ of Certiorari in this matter should be extended thirty days to and including May 19, 2018.

Respectfully submitted,

 (A handwritten signature in cursive script, reading "Warren Darrell Rivers", followed by a circled "CF" monogram.)

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