

No. _____

SUPREME COURT OF THE UNITED STATES

MICHAEL WAYNE BOHANNAN,

Petitioner,

v.

WESLEY WAYNE GRIFFIN,

Respondent.

On Petition For Writ Of Certiorari To The
United States Court Of Appeals For The Fifth Circuit

APPLICATION TO EXTEND TIME TO FILE

A PETITION FOR WRIT OF CERTIORARI

TO THE HONORABLE JUSTICES OF THE COURT:

COMES NOW, Michael Bohannan, pro se, and moves this Honorable Court for an extension of time in which to file his petition for a writ of certiorari arising from Cause No. 16-11226 in the United States Court of Appeals for the Fifth Circuit. In support thereof, would show:

I

On April 11, 2018, the Fifth Circuit Court of Appeals denied Bohannan's motion to reconsider the clerk's February 12, 2018 non-action determination of Bohannan's extension motion and denied Bohannan's motion to reconsider and modify the clerk's March 6, 2018 action on Bohannan's motion to reconsider. Bohannan is seeking this extension of time to present his petition addressing these two denials, and has attached a copy of that April 11th Order hereto. Bohannan believes his petition for a writ of

certiorari is due in this Court on or before July 10, 2018.

II

On April 10, 2018, Bohannan drafted and mailed a letter to the Clerk of the Court requesting two sets of the forms required for him to proceed with this appeal. As of the date of this application, Bohannan has yet to receive the necessary forms, nor even a response, from the Clerk.

Bohannan would notify the Court that he is having similar problems with obtaining the forms necessary for him to proceed in the appeal of his criminal life sentence. Justice Alito was kind enough to grant him an extension in that cause, No. 17A1283. In that cause the extension is getting ready to run out and Bohannan has not been provided the necessary forms yet either. In fact, Bohannan wrote Case Analyst Jacob C. Travers on June 21, 2018, asking for his help in obtaining the forms. As of the date of this application, Bohannan has received no response whatsoever from Mr. Travers or the Clerk.

III

Bohannan understands that the Court requires that he must attach a copy of the lower court's judgments/orders to his petition for writ of certiorari and to any extension motion.

Bohannan is currently a prisoner in the State of Texas' prison system. The Texas prison officials do not allow their prisoners to purchase copies of legal documents on their units. Neither do they provide those copies. Therefore, Bohannan is forced to seek help outside the prison to obtain the copies the

Court requires and which he desires to make part of his petition.

Bohannan has a family member who is able and willing to assist him in obtaining limited copies and is working at this time to obtain those needed. Bohannan has received a copy of the lower court's April 11, 2018 Order, which he has attached hereto. Hopefully, that will be sufficient for the Court to be able to consider this application at this time.

IV

Bohannan's ability to conduct legal work in the hot summer months is greatly restricted. Bohannan suffers from a number of medical issues which prevent his body from handling extreme temperatures, and the prison healthcare providers have in fact imposed written orders prohibiting his exposure to extreme temperatures. Nevertheless, the State of Texas continues to house Bohannan in a facility that does not contain air-conditioning, and in which summer indoor temperatures often rise into the 100's. The Texas prison officials limit prisoners to two electrical outlets. For Bohannan to do any type of reading/writing or legal work, he must use one of those two outlets for a reading lamp. That then leaves him with the one outlet, which in the summer heat he must choose between using his small 12" fan, or his typewriter to prepare his pleadings in a legible manner. The extreme heat also negatively affects Bohannan's cognitive ability and, in turn, his ability to draft and adequately brief his issues. The Texas prison officials prohibit inmates from doing any legal work in the well-lit dayroom areas (one can play dominoes and scrabble in those dayrooms, can read books there, can write letters home

there, and can conduct religious activities there, but absolutely no legal work is permitted). Legal work is restricted to the prisoner's housing area (cell or cubicle) and to the unit's law library.

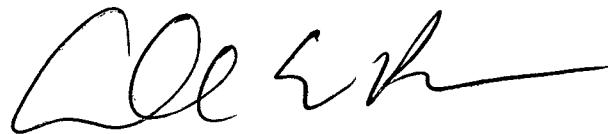
The prison law library's case law texts and digests have not been updated since 2009. Any access to case law since then must be ordered through a multi-day process, and one must know the exact and correct citation or it will not be provided. Any of the Texas Digest updates have to be ordered from off-unit and that process often takes 4 to 6 weeks to complete. The sessions are limited to two hours, much of that time being used for searching each offender entering and leaving the law library, signing in and out of the law library, and for the conducting of counts while the session is ongoing. Legal work is not permitted during these many time-consuming activities. And because they provide no copies of legal documents, the prisoner must hand-write, or type, whatever it is he has found.

While the prison law library IS A VALUABLE and necessary asset, Bohannan asks the Court to recognize that it is an asset that requires time, patience, and often a little luck, to be able to use effectively. And especially so when the circumstances noted above are present.

WHEREFORE, PREMISES CONSIDERED, Bohannan prays the Court grant him an extension of time, of the maximum the Court allows, for filing his writ of certiorari petition. Bohannan is working on obtaining the necessary lower court documents and asks the Court for its assistance in obtaining the appropriate forms which

he has been unable to acquire from the Clerk's Office thus far.

Respectfully submitted,



Michael W. Bohannan #1841746
2664 FM 2054
Tennessee Colony, Texas 75886

SWORN DECLARATION

I, Michael Bohannan, being presently imprisoned in Anderson County, Texas, and under penalty of perjury, do hereby affirm that the foregoing facts are true and correct.

Executed on this the 5th day of July, 2018.



Petitioner/Affiant

CERTIFICATE OF MAILING AND SERVICE

I, Michael Bohannan, being presently imprisoned in Anderson County, Texas, and under penalty of perjury, do hereby affirm that I have placed a copy of this application in the prison-provided mailbox, first-class postage prepaid, for mailing to:

Hon. Scott S. Harris, Clerk
U.S. Supreme Court
One First Street, N.E.
Washington, D.C. 20543-0001

Carol M. Garcia, Asst. Att'y General
Law Enforcement Division
P.O. Box 12548, Capitol Station
Austin, Texas 78711-2548

on this the 5th day of July, 2018.



Carol M. Garcia
Petitioner/Affiant

Michael Bohannan #1841476

2664 FM 2054

Tennessee Colony, Texas 75886

July 5, 2018

The Honorable Scott S. Harris, Clerk
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543-0001

Re: Bohannan v. Griffin

No.

USCA No. 16-11226

Dear Mr. Harris:

Please find enclosed my application for an extension of time in which to file my petition for a writ of certiorari. Please bring it to the attention of the Court.

Thank you for your time and help.

Respectfully,



Michael W. Bohannan

cc: Carol M. Garcia
file

