

NO. _____ (CAPITAL CASE)

IN THE SUPREME COURT OF THE UNITED STATES

JEFFERY LEE WOOD,

Petitioner,

vs.

TEXAS

Respondent.

**On Petition for a Writ of Certiorari to
the Court of Criminal Appeals of Texas**

**APPLICATION FOR A 30-DAY EXTENSION OF TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI TO THE COURT OF
CRIMINAL APPEALS OF TEXAS**

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Counsel for Petitioner*

**APPLICATION FOR A 30-DAY EXTENSION OF TIME TO FILE A
PETITION FOR A WRIT OF CERTIORARI TO THE COURT OF
CRIMINAL APPEALS OF TEXAS**

To the Honorable Samuel Alito, Associate Justice, and Circuit Justice for the United States Court of Appeals for the Fifth Circuit:

1. This is a capital habeas corpus proceeding. On November 21, 2018, the Court of Criminal Appeals of Texas (“TCCA”) denied an application for a writ of habeas corpus filed by Mr. Wood. *Ex parte Wood*, No. WR-45,500-02 (Tex. Crim. App. 2018) (not designated for publication) (attached as Exhibit 1). Rehearing is not permitted and was not sought.

2. At present, Mr. Wood has until February 19, 2019 to file a petition for a writ of certiorari seeking review of the TCCA’s decision. *See* U.S.S.Ct.R. 13.1.

3. Under Rule 13.5 and Rule 30.3, this Court may extend the time for seeking certiorari for up to sixty (60) additional days. Your Honor should grant an extension of 30 days under the circumstances, up to and including March 21, 2019.

4. Counsel for the respondent does not oppose the requested extension of time.

5. The issues to be presented in Mr. Wood’s capital case are significant, including the proportionality of a death sentence in this case and the constitutionality of the death penalty under the Eighth and Fourteenth Amendments to the United States Constitution.

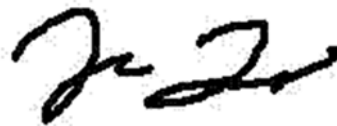
6. Jared Tyler provides legal services part-time to a non-profit legal services corporation (Texas Defender Service (“TDS”)) and also serves as resource counsel for a regional Habeas Assistance and Training program in Texas, for which he consults

on capital cases and provides other services related to increasing the efficiency of representation. Mr. Tyler assisted in TDS's representation of Blaine Milam, who had an execution date of January 15, 2019. The execution was stayed by the TCCA on January 14, 2019. A substantial amount of Mr. Tyler's legal work between November 21, 2018 and early January was consumed with that representation. Mr. Tyler's consulting and other duties have likewise been substantial during the period. Consequently, additional time is needed to prepare the petition for writ of certiorari in Mr. Wood's case.

CONCLUSION

For the foregoing reasons, the application for extension of time should be granted, extending Mr. Wood's time to file a petition for writ of certiorari for 30 days, until March 21, 2019.

Respectfully submitted,



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