

No. \_\_\_\_\_

IN THE  
*Supreme Court of the United States*

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SAM NEWMAN,

PETITIONER,

v.

STATE OF LOUISIANA,

RESPONDENT.

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ON PETITION FOR A WRIT OF CERTIORARI TO THE  
LOUISIANA COURT OF APPEAL, FOURTH CIRCUIT

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APPLICATION FOR EXTENSION OF TIME IN WHICH TO FILE A  
PETITION FOR A WRIT OF CERTIORARI

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G. Ben Cohen\*

Shanita Farris

THE PROMISE OF JUSTICE INITIATIVE

1024 ELYSIAN FIELDS

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\* Counsel of Record

**Application for Extension of Time in Which to File a Petition for a Writ of  
Certiorari**

To: Justice Samuel A. Alito, Jr., Circuit Justice for the Fifth Circuit, which includes the State of Louisiana.

Applicant, Sam Newman, respectfully requests an extension of 60 days in which to file his petition for writ of certiorari challenging the decisions of the Louisiana Fourth Circuit Court of Appeal, in *State Of Louisiana versus Demond D. Sandifer, Sam Newman, Tyron Harden*, 249 So. 3d 142 \* | 2018 La. App. LEXIS 1318 \*\* | 2016-0842 (La.App. 4 Cir. 06/27/18); Writ denied by *State v. Sandifer*, 2019 La. LEXIS 842 (La., Mar. 25, 2019). In support of this application, counsel states as follows:

1. Sam Newman was 16 years old at the time of the offense(s) alleged in this case.

2. On May 8, 2013, Mr. Newman was indicted on one count of racketeering, three counts of attempted second-degree murder and four counts of second-degree murder in case number 515-895.

3. The State severed counts 35 and 36, second-degree murder and attempted second-degree murder respectively on May 23, 2014. Mr. Newman was found guilty of second-degree murder on October 10, 2014. He was sentenced to life without parole on November 20, 2014.

4. Mr. Newman proceeded to trial on the remaining counts on January 14, 2015. On January 29, 2015, Mr. Newman was found guilty of three counts of second-degree murder, one count of attempted second-degree murder, racketeering and conspiracy to commit illegal use of weapons. He was sentenced to life without parole on November 17, 2015, on each of the second-degree murder charges.

5. The Court of Appeal rendered an opinion on June 27, 2018, upholding the November 17, 2015 convictions and remanding the life without parole sentences imposed upon Sam Newman. See Appendix A, pet. app. 1a-27a.

6. The Louisiana Supreme Court denied certiorari on his writ March, 25, 2019. See Appendix B, pet. app. 28a. As such, certiorari is ordinarily due June 24, 2019.

7. Sam Newman is indigent, and has been represented by appointed counsel at trial, and on appeal. See *Motion to Proceed IFP*.

8. Petitioner has contacted undersigned counsel and requested that counsel review the record and seek certiorari in this Court *pro bono* as part of undersigned's *Light of Justice Project*. See <http://justicespromise.org/major-projects/justice-s-promise-project>.

9. Counsel has reviewed the docket and the Court opinions in this case, and spoken with petitioner and believes that there are serious issues presented in this case, including but not limited to issues similar to those presented in *Ramos v. Louisiana* and *Alridge v. Louisiana*.

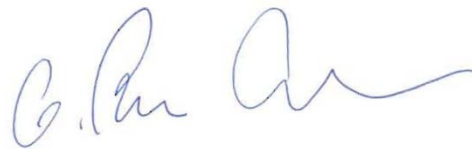
10. The Clerk of Court has responded to a request to review the records as public record with a bill for \$13,874. Petitioner is indigent, nor does he have \$13,874 to secure a copy of the file. The Clerk of Court for the Fourth Circuit rules do not permit withdraw of the record until counsel is enrolled as Counsel of Record. See La. Uniform Rules of Court, Rule 2-6. As such, the Clerk of Court for the Fourth Circuit has informed counsel that he is not permitted to withdraw the record prior to the filing of this Motion. Undersigned counsel is informed that the record in this case involves 26 volumes rendering review in the office of the Clerk of Court impractical.

11. For these reasons, the applicant respectfully requests the entry of an order extending his time to file for a writ of certiorari until August 24, 2019.

### **CONCLUSION**

For the foregoing reasons, the petition for writ of certiorari should be granted.

Respectfully Submitted,



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G. Ben Cohen\*

Shanita Farris

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**\*COUNSEL OF RECORD**

Dated: May 23, 2019

## CERTIFICATE OF SERVICE

Undersigned counsel certifies that on this date, the 23rd day of May, 2019, pursuant to Supreme Court Rules 29.3 and 29.4, the accompanying motion for leave to proceed *in forma pauperis* and Motion for Extension of Time were filed by paper and electronically.

The names and addresses of those served are as follows:

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| Leon A Cannizzaro, Jr.<br>District Attorney<br>Office of the District Attorney<br>619 South White Street<br>New Orleans, LA 70119<br>Phone: (504) 822-2414 | Colin Clark<br>Assistant Attorney General<br>Louisiana Department of Justice<br>P.O. Box 94005<br>Baton Rouge, Louisiana 70804<br>Phone: (225) 326-6200<br>Fax: (225) 326-6297<br>Email: ClarkC@ag.louisiana.gov |
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G. Ben Cohen