

No. _____

In The
Supreme Court of The United States

SANTOS V. Ruiz JR - Petitioner

VS.

The State of Texas - Respondent

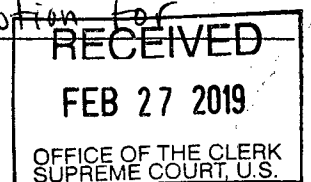
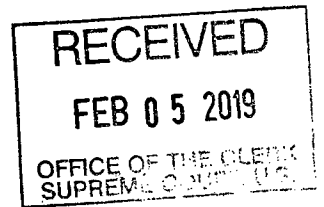
Petitioner's Motion For Extension of Time to file
Petitioner's Writ of Certiorari in forma pauperis.

To the Honorable Judges of the Supreme Court of
The United States:

Comes now Santos V. Ruiz JR in the above style and numbered
causes to file this MOTION FOR EXTENSION of time to
file Petitioners Writ of Certiorari and would show this
Honorable court the following:

I

On April 11, 2018, the Tenth Ninth Court of Appeals handed
down a 23 page opinion affirming Ruiz's conviction. The
Chief Justice dissented. Petition for discretionary review was
filed on May 25, 2018 to The Texas Court of Criminal Appeals.
That petition was refused on October 3, 2018. Motion for
rehearing was denied on November 07, 2018.



II

Petitioner request a 60 day extension of the current due date which is February 05, 2019 to file petition for Writ of Certiorari. This request is based on the following facts which prevent petitioner from preparing writ by the current due date:

Petitioner cannot meet the current due date and needs a 60 day extension because petitioner is currently incarcerated and in custody of The Texas Department of Criminal Justice. Petition will be filed in forma pauperis.

As of January 8, 2019 the facility has been in complete lockdown status. This lockdown requires all offenders be restricted to their assigned cells 24/7 while a facility, property and body search of all offenders be conducted. Before this lockdown petitioner had been working on and almost completed his petition for Writ of Certiorari. However when asked to bring all property to a designated area for a complete search, and at no fault of his own most of the legal work was lost and/or destroyed. During these searches offenders are required to face the opposite way during the search of the property and are not allowed to contest what is being thrown away. Petitioner did not know until re-organizing his property that the legal work for the Writ was not complete as before, and is currently in the unit grievance process to try and recover his property. Moreover, because of this lockdown any access to the unit law library is not allowed until the lockdown

status has been lifted. These yearly lockdowns usually last 4-6 weeks. For these reasons petitioner is requesting a 60 Day extension until April 5, 2019 to submit his Writ of Certiorari in forma pauperis.

III

Petitioner is asking the Supreme Court to resolve disagreements among the lower courts about two (2) specific questions:

(1) The Texas Court of Criminal Appeals claims that missing court reporter and/or court recorder records for purpose of appeal does not in-tittle him to a new trial. I believe it does. Moreover, it has long been established that an indigent defendant has a constitutional right to a full and complete record for purposes of his appeal. And while the majority of the lower court affirmed petitioner's conviction... Chief Justice Gray dissented and determined:

.... the lack of a complete record will forever plague the review of this proceeding. In particular, the hearing that has not been transcribed is the real time recording of appellant's effort to obtain a continuance after the State had "dumped" discovery on him only days before trial. This discovery included extraneous offenses, an out-of-state witness and statements, recorded telephone calls, and technical electronic evidence for which a computer expert would be essential. He dissented to this Court's prior order quoted at length herein and finds the constraints thus placed on his ability to conduct a proper review of the appellant's other issues overwhelming.

Additionally Petitioner will be asking the Supreme Court to resolve a disagreement on Texas Rules of Evidence in which the decision of the Court of Appeals conflicts with other lower courts decisions.

Conclusion

This is the first request by petitioner asking for an extension to file petition for Writ of Certiorari.

Prayer

Petitioner prays this Court grant this Motion and extend the time to file his petition for Writ of Certiorari up to and including April 5, 2019.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. And that the Motion was placed in the prison mail system on January 24, 2019.

Executed on January 24, 2019.

Respectfully submitted,

Santos V. Ruiz JR

TDC# 2079566

Robertson Unit

12071 FM 3522

Abilene Texas 79601

S. Ruiz JR.
1.24.19