

SUPREME COURT OF
THE UNITED STATES
WASHINGTON, D.C. 20543

FEB. 27, 2019

IN RE: OSMIN MERAZ

v.

LORIE DAVIS, DIR. T.D.C.J.

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USAPS# 17-10777

MOTION FOR OUT-OF-TIME
TO FILE CERTIORARI PETITION

COMES NOW THE MOVANT OSMIN MERAZ IN PRO SE, IN NECESSITY
AND HEREBY REQUEST, THAT THE SUPREME COURT OF THE
UNITED STATES GRANTS THIS, OUT-OF-TIME MOTION TO FILE
CERTIORARI PETITION.

THE MOVANT AVERS THAT HE JUST RECENTLY RECEIVED
THE NOTICE FROM THE OFFICE OF THE CLERK OF COURT
DATED DEC. 6, 2018 "BUT MOVANT DID NOT RECEIVE THIS LEGAL
MAIL FROM T.D.C.J. ELLIS UNIT MAIL ROOM, UNTIL FEB 22, 2019"
EXPLAINING WHY MOVANT CERTIORARI PETITION WAS OUT-OF-TIME.

DUUE TO A MISUNDERSTANDING, THE MOVANT BELIEVE HE
HAD MORE TIME, TO SUBMIT HIS CERTIORARI PETITION.

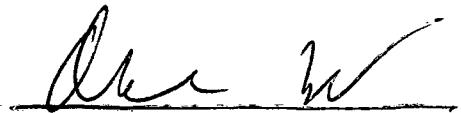
IN SUPPORT, THE MOVANT PRAYS THAT THIS COURT
REVIEWS THE ATTACHED EXHIBIT "A", WHICH IS AN
EXTRAORDINARY AFFIDAVIT, FROM MOVANT'S **RECEIVED**
COUNSEL, AND GRANT THIS

MAR - 7 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

MOTION FOR OUT-OF-TIME COUNTERPETITION, SO
THAT A MISCARRIAGE OF JUSTICE MAY BE AVOIDED,

ALSO IN SUPPORT, THE PETITIONER WILL SHOW THE COURT
THE FOLLOWING...

RESPECTFULLY,



OSMIN MERNAZ

PETITIONER-PRO SE

#1794405

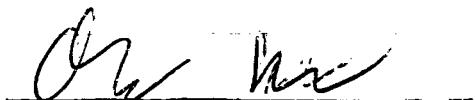
West FM 980

HUNTSVILLE, TEXAS

77343

CERTIFICATE OF SERVICE

THE UNDERSIGN HEREBY CERTIFIES THAT A COPY OF THE
FOREGOING WAS MAILED POSTAGE PRE-PAID ON THIS
THE 27 DAY OF FEB. 2019, TO THE TEXAS ATTORNEY
GENERAL OFFICE P.O. BOX 12548 AUSTIN, TEXAS 78711



**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-10777

OSMIN AGRUELLAZ MERAZ, also known as Osmin Agruelles Meraz,

Petitioner-Appellant

v.

LORIE DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appellee

Appeal from the United States District Court
for the Northern District of Texas

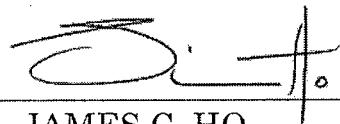
O R D E R:

Osmin Agruellaz Meraz (Meraz), Texas prisoner # 01794405, has applied for a certificate of appealability (COA) for an appeal from the denial of his application for a writ of habeas corpus challenging his convictions of continuous sexual abuse of a young child or children.

Meraz contends that trial counsel rendered ineffective assistance in failing to challenge a venireperson for cause and in failing to object to the prosecutor's commitment questions during voir dire. Meraz has failed to show that reasonable jurists would find the district court's rejection of these claims

No. 17-10777

debatable or wrong. *See Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). The request for a COA is DENIED.



JAMES C. HO
UNITED STATES CIRCUIT JUDGE

**Additional material
from this filing is
available in the
Clerk's Office.**