

"Motion for MORE Time"
for Writ of Certiorari

The motion for reconsideration was denied
on 2-13-19 from fifth Circuit

We are on Lockdown, started 3-11-19
REQUEST to know how much time I have left?

No. 17-41129

USDC NO. 6:14-CV-540

I'm not Schooled in law & the man helping
me is on another Building & unable to contact
each other, nor are we able to go to law library
because of lockdown, & he has been on Medical Chair

I also request the forms for doing writ of
CERTIORARI. About a month ago I wrote you
the above, as of today no response & I only
said we were going on lock down, we now are.

I pray this will be ok to use.

LARRY Douglas Brown #1683629

Americans with Disabilities Act

RECEIVED
APR 09 2019
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 17-41129

LAREY DOUGLAS BROWN,

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 Eastern District of Texas

Before OWEN, WILLETT, and OLDHAM, Circuit Judges.

PER CURIAM:

A member of this panel previously denied appellant's motion for certificate of appealability and denied as moot the motion to proceed in forma pauperis. The panel has considered appellant's motion for reconsideration of the motion for certificate of appealability. IT IS ORDERED that the motion is DENIED.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 17-41129



A True Copy
Certified order issued Jan 14, 2019

LAREY DOUGLAS BROWN,

Tyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

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 Eastern District of Texas

ORDER:

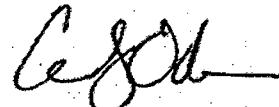
Larey Douglas Brown, Texas prisoner # 1683629, moves for a certificate of appealability (COA) to appeal the district court's denial of his 28 U.S.C. § 2254 application challenging his 2010 convictions and sentences for three counts of aggravated sexual assault with a deadly weapon, one count of aggravated kidnapping with a deadly weapon, and one count of possession of a firearm by a convicted felon. He contends that the district court erred in applying the Antiterrorism and Effective Death Penalty Act's deferential framework and denying his § 2254 application without conducting an evidentiary hearing. Brown also contends that the district court erred in denying his ineffective assistance of appellate counsel claims.

No. 17-41129

A COA may be issued “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). When the district court has rejected a constitutional claim on the merits, a COA will be granted only if the prisoner “demonstrate[s] that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong” or that the issues presented are “adequate to deserve encouragement to proceed further.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (internal quotation marks and citation omitted). Brown has failed to make the requisite showing. *See id.*

Although Brown raised numerous other claims in his § 2254 application, he has failed to adequately brief them in his COA motion. Those claims are therefore abandoned. *See Hughes v. Johnson*, 191 F.3d 607, 613 (5th Cir. 1999).

Accordingly, Brown’s motion for a COA is DENIED. Brown’s motion for leave to proceed in forma pauperis on appeal is also DENIED AS MOOT.



ANDREW S. OLDHAM
UNITED STATES CIRCUIT JUDGE