

No. 18A1190

IN THE
SUPREME COURT OF THE UNITED STATES

CHRISTOPHER DEVON JACKSON, *Petitioner*

v.

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

ON WRIT OF CERTIORARI TO THE
COURT OF APPEALS FOR THE FIFTH CIRCUIT

UNOPPOSED SECOND MOTION TO EXTEND TIME TO FILE
PETITION FOR A WRIT OF CERTIORARI

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** Admission Pending, Counsel of
Record Below*

CAPITAL CASE

OPINIONS BELOW

The opinion of the Fifth Circuit Court of Appeals denying Mr. Jackson's application for certificate of appealability is at *Jackson v. Davis*, 756 Fed.Appx. 418 (5th Cir. 2018). That opinion and the Fifth Circuit's order denying Jackson's petition for rehearing were attached to Petitioner's first motion for extension.

JURISDICTION

Petitioner invokes this Court's jurisdiction to grant the Petition for a Writ of Certiorari to the Fifth Circuit Court of Appeals on the basis of 28 U.S.C. § 1254. The Court of Appeals denied Petitioner's application for certificate of appealability on December 18, 2018. And denied the petition for rehearing on February 19, 2019.

On May 17, 2019, upon Petitioner's motion, Justice Alito graciously extended the time for filing certiorari for thirty days, until June 20, 2019.

This motion is filed within ten days of the date the petition is due, and circumstances for the filing of this request for an extension are shown below.

**UNOPPOSED SECOND REQUEST FOR EXTENSION OF TIME TO
FILE PETITION FOR CERTIORARI**

Petitioner respectfully requests an extension of twenty days of the time to file a petition for certiorari from the current date of June 20, 2019, to July 10, 2019. Undersigned counsel has conferred as to this request with Assistant Attorney General Stephen Hoffman, counsel for Respondent, and he has advised that the request for extension is not opposed.

Petitioner requests this extension for several reasons. Undersigned counsel, who maintains a very active civil practice, is now the sole lawyer on the case as co-counsel, who was assisting on the certiorari petition, has left the firm. This is counsel's first capital habeas case. With the departure of co-counsel, undersigned counsel has requested assistance from more experienced counsel and has been informed that the Federal Community Defender for the Eastern District of Pennsylvania has been granted permission from the Administrative

Office of the United States Courts to seek an appointment to assist with the continued litigation of this case.

Counsel was appointed by the district court to represent Mr. Jackson in this habeas case and is doing so *pro bono*.

For these reasons, counsel respectfully requests an extension of an additional 20 days, until July 10, 2019, to allow him to complete the petition after consultation with, and assistance from, experienced capital habeas counsel.

Finally, counsel for Respondent has stated that he has no objection to the extension of time sought by this request.

CONCLUSION

Petitioner respectfully requests that this Court grant an extension of twenty (20) days, until July 10, 2019, for the filing of his petition for certiorari.

Respectfully submitted,

/s/ Matthew Baumgartner

Matthew Baumgartner

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Counsel for Petitioner-Appellant

Christopher Jackson

CERTIFICATE OF SERVICE

I, Matthew Baumgartner, counsel for Petitioner-Applicant Christopher Devon Jackson, certify that on June 7, 2019, a copy of the foregoing Unopposed Second Motion to Extend Time to File Petition For A Writ Of Certiorari to the U.S.C. Court of Appeals for the Fifth Circuit in Jackson v. Davis, was electronically mailed to counsel for respondent:

Mr. Stephen Hoffman

Office of the Attorney General

300 W. 15th Street

Austin, Texas 78701

Stephen.Hoffman@texasattorneygeneral.gov

I further certify that all parties required to be served have been served.

/s/ Matthew Baumgartner

Matthew Baumgartner