

NO. 19A776 (CAPITAL CASE)

IN THE SUPREME COURT OF THE UNITED STATES

RAMIRO RUBI IBARRA,

Petitioner,

vs.

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

Respondent.

On Petition for a Writ of Certiorari to
The United States Court of Appeals for the Fifth Circuit

**UNOPPOSED SECOND APPLICATION FOR A 30-DAY EXTENSION OF
TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

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UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

To the Honorable Samuel Alito, Associate Justice, and Circuit Justice for the United States Court of Appeals for the Fifth Circuit:

1. This is a capital habeas corpus proceeding. On August 26, 2019, a panel of the Fifth Circuit issued an opinion affirming the final order of a district court denying habeas relief to Mr. Ibarra. See App. 1. Mr. Ibarra timely filed a petition for rehearing, which was denied on October 22, 2019. App. 2.
2. Mr. Ibarra had until January 20, 2020, to file a petition for a writ of certiorari seeking review of the Fifth Circuit's decision. *See* U.S.S.Ct.R. 13.1.
3. On January 8, 2020, Mr. Ibarra requested an extension of 30 days to file his petition for a writ of certiorari. The motion was granted on January 10, 2020, making his petition due February 19, 2020.
4. Under Rule 13.5 and Rule 30.3, this Court may extend the time for seeking certiorari for up to sixty (60) additional days. Mr. Ibarra presently requests a second extension of thirty (30) days, up to and including March 20, 2020. Counsel for the respondent does not oppose the requested extension of time.
5. While counsel has been able to begin the process of researching and preparing a petition for writ of certiorari, counsel will require additional time to do so, given their obligations in other cases.
6. The issues to be presented in Mr. Ibarra's capital case are significant, including the proper interpretation and application of the Sixth Amendment and this Court's decision in *Martinez v. Ryan*, 566 U.S. 1 (2012).

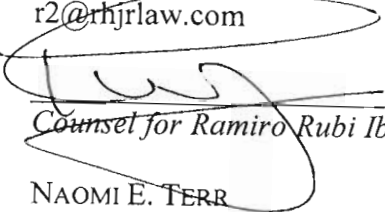
7. Counsel Russell Hunt, Jr., who has served as lead counsel in the case to date, has been obligated to move his office location at short notice due to a disagreement between his office's building owners, which has resulted in significant disruption in his practice. He is also preparing for the trial of a murder case which is scheduled to begin on March 9, 2020.

CONCLUSION

The application for extension of time should be granted, extending Mr. Ibarra's time to file a petition for writ of certiorari for thirty (30) days, until March 20, 2020.

Respectfully submitted,

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