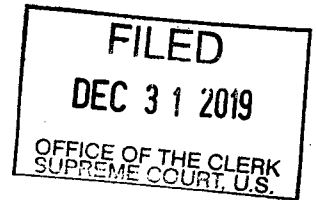


NO.

19A758

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM 2019



CECIL MAX-GEORGE-PETITIONER

Vs.

HONORABLE JUSTICES OF THE COURT, ET. AL.

PETITIONER'S MOTION FOR EXTENSION OF TIME TO FILE
WRIT OF CERTIORARI

TO THE HONORABLE JUSTICE OF SAID COURT:

COMES NOW, Cecil Max-George, Petitioner, Pro se, in the above styled and numbered action and files this, his Motion For Extension of Time to File Writ of Certiorari, pursuant to Rule 13.5, Rules of Supreme Court of the United States, and in support would show the following:

1. Movant is currently incarcerated at the Eastham Unit-TDCJ-CID; where he is only allowed (10) hours a week per policy to research caselaw and supportive authority to properly file his Petition For Writ of Certiorari.
2. Movant would show that on or about October 28, 2017, he filed an Order to Show Cause and Application for Finding of Contempt of Court of depriving Movant of state court transcripts and hendering him in preparing and perfecting his appeal on direct appeal review to the State's highest criminal court.

(See Civil Action No. 4:17-cv-3795; Southern Dist. of Texas, Houston Div.).

3. Movant would show that on or about January 17, 2018, the District Court, Chief U.S. District Judge, Lee H. Rosenthal dismissed Movant claims with prejudice, stating: "Although Max-George [invokes] the All Writs Act, 28 U.S.C. § 1651, he does not show that it applies to his benefit...Max-George seeks relief in the nature of a writ of mandamus to compel defendants to provide him with copies of his trial transcripts. Request for a federal writ of mandamus are governed by 28 U.S.C. § 1361..". (See USDC No. 4:17-cv-3795, Dkt. Entry No. 9)
4. Movant would show on or about February 5, 2018, he filed his Motion to Alter Judgment or Amend Judgment. (See USDC No. 4:17-cv-3795, Dkt. Entry No. 10).
5. Movant would show on or about August 2, 2018, Chief U.S. District Court Judge, Lee H. Rosenthal denied Movant Motion to Alter or Amend Judgment, stating: "Even assuming this court has the [authority] to intervene in Max-George's state court proceedings under the All Writs Act, Max-George fails to demonstrate an entitlement to such relief". (USDC No. 4:17-cv-3795, Dkt. Entry No. 14).
6. Movant would show on or about August 14, 2018, he filed his Notice of Appeal with the District Court. (Dkt. Entry No. 16)
7. Movant would show on or about September 14, 2018, Movant was granted *informa pauperis* status on appeal. (Dkt. Entry No. 20)
8. Movant would show on or about August 15, 2018, the Court of

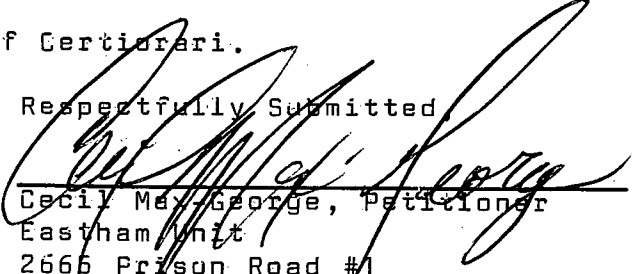
Appeals of the Fifth Circuit docketed Movant's appeal under Case no. 18-20507.

9. On or about December 28, 2018, Movant filed his Appellant Brief with the Court of Appeals of the Fifth Circuit.
10. On December 17, 2019, the Fifth Circuit Court of Appeals, affirmed the District Court's dismissal, stating: "...Max-George contends that the district court should have granted his Rule 59(e) motion because it misconstrued his § 1651 application as seeking relief under 28 U.S.C. § 1361, the record does not support that theory". (Case No. 18-20507, Memorandum Order, filed Dec. 17, 2019, attached hereto)
11. Movant would further show, that his Motion for Extension of Time is not made for the purpose of delay, but for good cause in order that justice may be done in this case.

Wherefore, Premises Considered, Petitioner prays that this Honorable Court would grant him Motion For Extension of Time To File Writ Of Certiorari. Thereby, granting Petitioner (60) extra to file his Petition For Writ Of Certiorari.

Respectfully Submitted

Executed: December 26, 2019

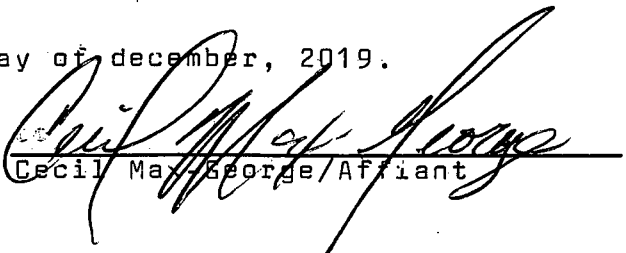

Cecil Max George, Petitioner
Eastham Unit
2666 Prison Road #1
Lovelady, Texas 75851

UNSWORN DECLARATION

I, Cecil Max-George, TDCJ# 1649987, declare under the penalty of perjury that the foregoing is true and correct, pursuant to

28 U.S.C. § 1746.

Executed on this the 26th day of december, 2019.


Cecil Max-George/Affiant

CERTIFICATE OF SERVICE

I, Cecil Max-George, TDCJ# 1649987, certify that a true and correct copy of Petitioner's Motion For Extension Of Time To File Writ Of Certiorari, has been served by placing the same in the U.S. Mail, postage prepaid, on this the 26th of December, 2019, addressed to:

Counsel for the Respondents

Ken Paxton, Attorney General of Texas

P.O. Box 12546, Capitol Station

Austin, Texas 78711


Cecil Max-George