

CAPITAL CASE

No. 20-6929

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IN THE  
SUPREME COURT OF THE UNITED STATES

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STEPHEN HUGUELEY,

*Petitioner,*

v.

TONY MAYS, Warden,

*Respondent.*

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ON PETITION FOR WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

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MOTION FOR LEAVE TO FILE PETITION FOR REHEARING  
OUT OF TIME

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Unit  
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\* *Counsel of Record*  
*Counsel for Petitioner*

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Petitioner, Stephen Hugueley, by and through counsel, moves this Court for leave to file his petition for rehearing out of time. In support of this motion, Petitioner states the following:

1. This Court recently granted certiorari in *Shinn v. Ramirez*, No. 20-1009, 2021 WL 1951793, at \*1 (U.S. May 17, 2021) (order granting certiorari).
2. That case presents a substantially similar question as was presented in Mr. Hugueley's petition for certiorari and the Court's ultimate decision in *Shinn v. Ramirez* will impact the legal principles informing Mr. Hugueley's case.
3. Mr. Hugueley's petition for certiorari was denied prior to the Court's decision to grant certiorari in *Shinn v. Ramirez*. See *Hugueley v. Mays*, No. 20-6929, 2021 WL 1163802, at \*1 (U.S. Mar. 29, 2021) (order denying certiorari). Mr. Hugueley had until April 23, 2021 to file a timely petition for rehearing. As such, Mr. Hugueley could not have timely presented a petition for rehearing based on the new certiorari grant which occurred less than one month after the time ran for filing a petition for rehearing. He has moved promptly to file a petition for rehearing after the Court granted certiorari in *Shinn v. Ramirez*. Equity demands that Mr. Hugueley be permitted to file this Petition for Rehearing now and for the case to be held pending the outcome of *Ramirez*. The proposed petition is attached as Appendix A.

Wherefore, Petitioner respectfully moves this Court for leave to file his petition for rehearing out of time.

Respectfully Submitted,



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Marshall Jensen  
Research and Writing Attorney

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#### CERTIFICATE

I certify that the foregoing petition for rehearing is restricted to grounds set forth in Rule 12.2 and is presented in good faith and not for delay.



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CERTIFICATE OF SERVICE

I certify that the foregoing petition for rehearing was served via first-class mail upon counsel for Respondent, Richard D. Douglas, Office of the Attorney General, 425 Fifth Avenue North, Nashville, Tennessee 37243 this 27 day of May, 2021



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