

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2021

SHERMAN COLLINS,

Petitioner,

v.

STATE OF ALABAMA,

Respondent.

**Application for an Extension of Time
to File a Petition for a Writ of Certiorari to the
Alabama Supreme Court**

**To the Honorable Clarence Thomas, Associate Justice of the
Supreme Court of the United States and Circuit Justice for the United
States Court of Appeals for the Eleventh Circuit:**

Pursuant to Rules 13.5 and 30 of the Rules of this Court, Applicant Sherman Collins respectfully requests a 30-day extension of time within which to file a petition for a writ of certiorari up to and including Monday, March 7, 2022:

1. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1254(1).

2. On November 5, 2021, the Alabama Supreme Court affirmed Mr. Collins's capital conviction and sentence of death. *Ex parte Collins*, No. 1200443, 2021 WL 5143906 (Ala. Nov. 5, 2021). (Attached as Exhibit 1). In the same opinion, the Court ordered the trial court to vacate the conspiracy conviction in the case. *Id.*

3. Pursuant to Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed on or before February 3, 2022. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

4. This is a capital case in which the death penalty has been imposed. Mr. Collins is incarcerated at Holman State Prison in Atmore, Alabama. No execution date has been scheduled in this case.

5. Petitioner's case raises meritorious issues regarding the constitutionality and reliability of his capital conviction and death sentence. As such, there are compelling questions about whether the Alabama courts below properly adjudicated Mr. Collins's claims on direct review.

6. Undersigned counsel currently is involved in the appeals of many capital cases: several habeas corpus cases in the federal district courts, postconviction cases in Alabama state courts, and several direct appeals to the Alabama Court of Criminal Appeals and the Alabama Supreme Court. Counsel

faces a number of deadlines in these cases in the coming weeks.

7. An additional thirty (30) days is needed to prepare a pleading that adequately apprises this Court of the relevant facts and law in this case.

For these reasons, Mr. Collins respectfully requests an additional thirty (30) days in which to file his petition for writ of certiorari, thereby changing to March 7, 2022,¹ the date on or by which it must be filed.

Respectfully submitted,

/s/ James M. Hubbard

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January 20, 2022

Counsel for Sherman Collins

¹Thirty days following February 3, 2022, is Saturday, March 5, 2022. Pursuant to Rule 30.1, the petition would be due Monday, March 7, 2022.