

22A 307

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

STACY L. CONNER, §
petitioner, §
§
VS. §
§
BOBBY LUMPKIN, Director, TDCj-CID; §
KEN PAXTON, Texas Attorney General, §
respondent(s). §

FILED
OCT 03 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Case NO. _____

APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR WRIT OF CERTIORARI

Specifically, to the HONORABLE JUSTICE TETANJI BROWN JACKSON:

Comes Now, Petitioner Stacy L. Conner, hereinafter referred to only as Conner, in the above-entitled cause, who submits Pro Se this "Application for Extension of Time to File a Petition for Writ of Certiorari" pursuant to Supreme Court Rule(s) 22, 30(2) (3), and in support of will show the following:

1.) Conner wishes to challenge an 'Order' denying him a COA issued by the 5th Circuit, in case No. 21-10922 on May 23, 2022.

2.) Conner filed a timely Motion for Rehearing/Reconsideration that was promptly 'Denied' on July 19, 2022.

3.) The 90 day deadline governing the filing of a Petition for Writ of Certiorari ends, and is due, monday October 17, 2022.

4.) Conner, is an inmate within the Texas prison system; he is unschooled nor taught in law, who is forced by circumstance and indigency to via for himself (in his own behalf) with the litigation of substantially grounded Constitutional Claims.

5.) This is an important case for the Supreme Court because the issues involved can potentially effect a large number of the populace. They're also rather extensive and of a complex nature.

6.) Conner, is a working inmate, expected to perform certain duties on almost a daily basis. His "Free-Time" is very limited.

7.) To facilatate the filing of this petition, Conner asked to be supplied with an approved form from the Court's Clerk. That package seemed to take Forever to get here, and he was unprepared for the numerous entrinsic details of that form.

8.) The Court's many requirements are quite demanding. Especially problematic for Conner, are the copies of the petition that must be served and those of the appendix . . . access to a copy-machine (in prison) is essentially non-existent. To adequately fulfill his obligations to this Court, Conner requires more Time.

9.) This application is made in Good Faith solely on reasonable explanations, and is Not based on any misguided purposes of strategy nor delay.

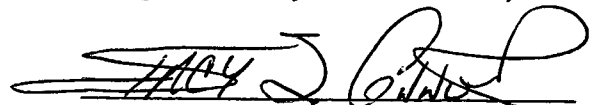
10.) Furthermore, none of the parties (nor the Court itself) can be harmed by the granting of this meager entreat or request. Only in its refusal will the administration of justice be thwarted and

left askewed at an odd unsightly angle.

11.) Conner, gets but one (very restricted) shot with the filing of this petition, Please allow him the time necessary, so he can make it the best 'one' possible.

Wherefore, Premises Considered, Conner Prays the Supreme Court of the United States will Grant him an additional 40 days worth of time in which to submit his 'Petition for Writ of Certiorari', becoming due on monday, November 28, 2022.

Respectfully Submitted,



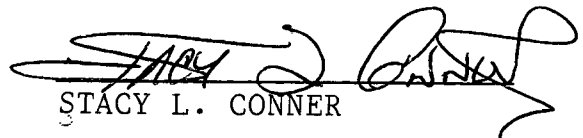
STACY L. CONNER
#1428940 Polunsky Uniu.
3872 FM 350, South
Livingston, Tx. 77351-0000

Certificate of Service

I do so certify that a True & Correct copy of this "Application for Extension of Time to File a Petition for Writ of Certiorari" is being forwarded by prepaid first-class U.S. mail to:

Texas Attorney General's Office
P.O. Box 12548, Capital Station
Austin, Texas 78711-2548

by my (personally) handing them over to the unit's Law Library personnel for mailing, on this 30th day of September 2022.



STACY L. CONNER

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

April 29, 2022

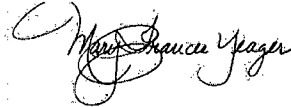
MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 21-10922 Conner v. Lumpkin
USDC No. 5:18-CV-175

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Mary Frances Yeager, Deputy Clerk
504-310-7686

Mr. Stacy L. Conner
Ms. Susan Frances San Miguel

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 29, 2022

Lyle W. Cayce
Clerk

No. 21-10922

STACY L. CONNER,

Petitioner—Appellant,

versus

BOBBY LUMPKIN, *Director*, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:18-CV-175

ORDER:

Stacy Conner moves for a certificate of appealability (“COA”) to appeal the dismissal of his 28 U.S.C. § 2254 petition.¹ Conner asserts that the district court improperly denied his petition based on its procedural ruling, which concluded, *inter alia*, that his petition was barred by the

¹ The district court also denied Conner’s petition for reconsideration and request for a COA.

No. 21-10922

Antiterrorism and Effective Death Penalty Act's one-year limitation period. *See* 28 U.S.C. § 2244(d)(1).²

To obtain a COA, a movant must make “a substantial showing of the denial of a constitutional right.” *Id.* § 2253(c)(2); *accord Slack v. McDaniel*, 529 U.S. 473, 483–84 (2000). Where, as here, the district court has denied a request for habeas relief on procedural grounds, the movant must show “that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and . . . whether the district court was correct in its procedural ruling.” *Slack*, 529 U.S. at 484. Conner has not met this standard.

Accordingly, IT IS ORDERED that the motion for a COA is DENIED.

/s/ Catharina Haynes
CATHARINA HAYNES
United States Circuit Judge

² The district court also concluded that Conner's alleged due process claim for injunctive relief was not cognizable in the habeas context. *See Pierre v. United States*, 525 F.2d 933, 935–36 (5th Cir. 1976) (“Simply stated, habeas is not available to review questions unrelated to the cause of detention. Its sole function is to grant relief from unlawful imprisonment or custody[,] and it cannot be used properly for any other purpose.”).

United States Court of Appeals
for the Fifth Circuit

No. 21-10922

STACY L. CONNER,

Petitioner—Appellant,

versus

BOBBY LUMPKIN, *Director, Texas Department of Criminal Justice,
Correctional Institutions Division,*

Respondent—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:18-CV-175

ON MOTION FOR RECONSIDERATION
AND REHEARING EN BANC

Before HAYNES, ENGELHARDT, and OLDHAM, *Circuit Judges.*

PER CURIAM:

The motion for reconsideration is DENIED. Because no member of the panel or judge in regular active service requested that the court be polled on rehearing en banc (FED. R. APP. P. 35 and 5TH CIR. R. 35), the petition for rehearing en banc is DENIED.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

July 19, 2022

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 21-10922 Conner v. Lumpkin
USDC No. 5:18-CV-175

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

Charles Whitney

By: _____
Charles B. Whitney, Deputy Clerk
504-310-7679

Mr. Stacy L. Conner
Ms. Karen S. Mitchell
Ms. Susan Frances San Miguel