

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2017

TAWUAN TOWNES, Petitioner,

v.

STATE OF ALABAMA, Respondent.

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR WRIT OF CERTIORARI
TO THE ALABAMA COURT OF CRIMINAL APPEALS**

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

Pursuant to Supreme Court Rules 13 and 30, Petitioner Tawuan Townes respectfully requests a 30-day extension of time to file his petition for certiorari in this Court:

1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).
2. The Alabama Court of Criminal Appeals affirmed Mr. Townes's convictions and sentence on December 18, 2015. Townes v. State, ___ So. 3d ___, No. CR-10-1892, 2015 WL 9263802 (Ala. Crim. App. Dec. 18, 2015) (Attached as Exhibit A). On March 17, 2017, the Alabama Court of Criminal Appeals denied Mr. Townes's application for rehearing. (Attached as Exhibit B.) The

Alabama Supreme Court denied Mr. Townes's Petition for Writ of Certiorari on October 20, 2017. (Attached as Exhibit C.) Petitioner's time to file a certiorari petition in this Court expires on January 18, 2018. This application is being filed more than ten days before that date.

3. Petitioner is under a death sentence. The State of Alabama has no system for providing legal representation to death row prisoners after the completion of their direct appeal. There are many Alabama death row prisoners currently without counsel facing filing deadlines in this Court, in state postconviction cases, and in the lower federal courts. Counsel is actively engaged in assisting these prisoners.

4. Undersigned counsel has taken on Mr. Townes's appeal in this Court pro bono but needs additional time to prepare a certiorari petition. Counsel currently is involved in many other death penalty cases, including numerous cases on direct appeal, in state postconviction, and in federal habeas corpus. Many of these cases have imminent filing deadlines and require counsel's immediate attention.

5. For these reasons, Mr. Townes respectfully requests that an order be entered extending his time to petition for certiorari by 30 days, to and

including February 20, 2018.¹

Respectfully submitted,

/s/ Angela L. Setzer
Angela L. Setzer
122 Commerce Street
Montgomery, AL 36104
(334) 269-1803
asetzer@ejj.org

Dated: December 21, 2017

Counsel for Mr. Townes

¹The thirtieth day is Saturday, February 17, and Monday, February 19 is a federal holiday.