

No. _____

In The Supreme Court Of The United States

IN RE REPOSA, Applicant

**APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

COUNSEL FOR APPLICANT:

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To the Honorable Samuel A. Alito of the Fifth Circuit:

APPLICATION FOR EXTENSION OF TIME

Applicant Adam Reposa, requests an extension of time to file his Petition for Writ of Certiorari. On January 10, 2018, the Texas Court of Criminal Appeals entered a final judgment denying Petition for Writs of Mandamus. The Petition for Writ of Certiorari must be filed by April 9, 2019. Applicant requests an extension of time to file his Petition for Writ of Certiorari to June 1, 2018. This application is being filed more than 10 days prior to the due date.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment sought to be reviewed is the decision of the Texas Court of Criminal Appeals denying Petition for Writs of Mandamus, *Ex parte* Adam Reposa, NO. WR-86,973-03 (attached as Exhibit A).

JURISDICTION

On March 27, 2017, Applicant, an attorney, was held in direct criminal contempt by Honorable Nancy Hohengarten, presiding judge of County Court at Law Number 5 of Travis County, Texas. Following a two-day trial the Honorable Paul Davis, sitting by assignment, found Applicant in contempt and sentenced Applicant to 180 days confinement. Texas Government Code section 21.001(d) codifies due process afforded to attorneys in contempt proceedings. Procedural due process requirements in the statute were not followed. A contempt order is reviewable only through an Application for Writ of Habeas Corpus. *Ex parte Eureste*, 725 S.W.2d 214, 216 (Tex. Crim. App. 1986).

Applicant filed Applications for Writs of Habeas Corpus in the 368th District Court of Williamson County, Texas, and the Texas Court of Criminal Appeals. On October 10, 2017, the Travis County Attorney's Office, filed Petition for Writs of Mandamus and

Prohibition in the Third Court of Appeals arguing that the Williamson County District Court did not have jurisdiction and prayed that the Court stay the District Court proceedings. On November 15, 2017, the Court of Criminal appeals denied Applicant's Application without opinion. The dissenting opinion indicates that Applicant had an adequate remedy at law which would preclude invoking the Court's jurisdiction. (Attached as Exhibit B). On December 11, 2017, the Third Court of Appeals granted the State's Petition for Writ of Mandamus and ordered the Williamson County court to vacate all orders and dismiss Applicant's Application for Writ of Habeas Corpus.

Applicant filed a Writ of Mandamus at the Court of Criminal Appeals asking the Court to order the Third Court of Appeals to lift the stay and allow the Williamson County District Court to hear the application for Writ of Habeas Corpus. On January 10, 2018, the Court of Criminal Appeals denied, without written order, the Petition for Writs of Mandamus.

Applicant believes the Order warrants this Court's review because each Texas Court has denied Applicant's petitions for want of jurisdiction and there is disagreement between courts about proper venue to file the extraordinary writ. Consequently, Applicant has been deprived of due course of law in violation of the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

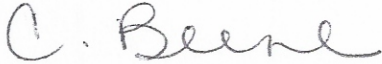
REASON JUSTIFYING EXTENSION

The undersigned counsel has only recently been retained to represent Applicant. The extension of time will allow counsel to prepare petition for writ of certiorari.

CONCLUSION

For the foregoing reasons, applicants respectfully request that this Court grant an extension of time, to and including June 1, 2018, within which to file petitions for a writ of certiorari.

Respectfully submitted,



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Counsel for Applicant
March 20, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing has been electronically delivered to the following parties and interested persons, on this day, March 20, 2018:

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