

No. _____

SUPREME COURT OF THE UNITED STATES

MICHAEL WAYNE BOHANNAN,

Petitioner,

v.

THE STATE OF TEXAS,

Respondent.

On Petition For Writ Of Certiorari To The
Texas Court Of Criminal Appeals

APPLICATION TO EXTEND TIME TO FILE

A PETITION FOR WRIT OF CERTIORARI

TO THE HONORABLE JUSTICES OF THE COURT:

COMES NOW, Michael Bohannon, pro se, and moves this Honorable Court for an extension of time in which to file his petition for a writ of certiorari arising from Cause No. PD-0347-15 in the Texas Court of Criminal Appeals. In support thereof, would show:

I

On February 14, 2018, the Texas Court of Criminal Appeals denied Bohannon's motion for rehearing. See Mandate Attached. Bohannon believes his petition for a writ of certiorari is due in this Court on or before May 15, 2018.

II

On March 8, 2018, Bohannon drafted and mailed a letter to the Clerk of the Court requesting the appropriate number of forms

required for him to proceed with this appeal. Receiving no response to that letter, on April 10, 2018, Bohannan drafted and mailed another letter to the Clerk of the Court. In the later letter he specifically requested two sets of the forms and provided the Clerk the citation of the cause Bohannan was desiring the Court's review of.

As of the date of this motion, Bohannan has yet to receive the necessary forms, nor a response, from the Clerk.

III

Bohannan understands the Court's rules to require that he must attach a copy of the Texas Court of Criminal Appeals' judgments/orders to his petition for writ of certiorari and to any extension motion.

Bohannan is currently a prisoner in the State of Texas' prison system. The Texas prison officials do not allow their prisoners to purchase copies of legal documents on their units. Neither do they provide those copies. Therefore, Bohannan is forced to seek help outside the prison to obtain the copies the Court requires.

Bohannan found a family member who was able and was willing to provide him copies of the Texas Court of Criminal Appeals' February Mandate, which verifies the dates of that Court's determinations. Bohannan has still not obtained copies of the Texas Court's actual opinion(s) and is trying to accomplish that at this time. Bohannan received the copies of the Mandate on May 3, 2018, and has attached a copy hereto. Hopefully, that

will be sufficient for the Court to be able to consider this motion at this time.

IV

Bohannon's ability to conduct legal work in the hot summer months is greatly restricted. Bohannon suffers from a number of medical issues which prevent his body from handling extreme temperatures, and the prison healthcare providers have in fact imposed written orders prohibiting his exposure to extreme temperatures. Nevertheless, the State of Texas continues to house Bohannon in a facility that does not contain air-conditioning and in which summer indoor temperatures often rise into the 100's. The Texas prison officials limit prisoners to two electrical outlets. For Bohannon to do any type of reading/writing or legal work he must use one of those two outlets for a reading light. That then leaves him with the one outlet, which in the summer heat he must choose between using his small 12" fan, or his typewriter to prepare his pleadings in a legible manner. The extreme heat also negatively affects Bohannon's cognitive ability and, in turn, his ability to draft and adequately brief his issues. The Texas prison officials prohibit inmates from doing any legal work in the well-lit dayroom areas (one can play dominoes and scrabble in those dayrooms, can read books there, can write letters home there, and can conduct religious studies there, but absolutely no legal work is permitted). Legal work is restricted to the prisoner's housing area (cell or cubicle) and to the unit's law library.

The prison law library's case law texts and digests have not been updated since 2009. Any access to case law since then must be ordered through a multi-day process, and one must know the exact and correct citation or it will not be provided. Any of the Texas Digest updates have to be ordered from off-unit and that process often takes 4 to 6 weeks to complete. The sessions are limited to two hours, much of that time being used for searching each offender entering and leaving the law library, signing in and out of the law library, and for the conducting of counts while the session is ongoing. Legal work is not permitted during these many time consuming activities. And because they provide no copies of legal documents, the prisoner must hand-write, or type, whatever it is he found.

While the prison law library IS A VALUABLE and necessary asset, Bohannon asks the Court to recognize that it is an asset that requires time, patience, and often a little luck, to be able to use effectively. And especially so when the circumstances noted above are present.

WHEREFORE, PREMISES CONSIDERED, Bohannon prays the Court grant him an extension of time, of the maximum the Court allows, for filing his writ of certiorari petition. Bohannon is working on obtaining the lower court documents the Court requires and would ask the Court to help him obtain the appropriate forms he has been unable to acquire thus far from the Clerk's Office.

Respectfully submitted,



Michael W. Bohannon #1841746
2664 FM 2054
Tennessee Colony, Texas 75886

SWORN DECLARATION

I, Michael Bohannon, being presently imprisoned in Anderson County, Texas, and under penalty of perjury, do hereby affirm that the foregoing facts are true and correct.

Executed on this the 6th day of May, 2018.



Petitioner/Affiant

CERTIFICATE OF MAILING AND SERVICE

I, Michael Bohannon, being presently imprisoned in Anderson County, Texas, and under penalty of perjury, do hereby affirm that I have placed a copy of this application in the prison-provided mailbox, first-class postage prepaid, for mailing to:

Hon. Scott S. Harris, Clerk
U.S. Supreme Court
One First Street, N.E.
Washington, D.C. 20543-0001

William Delmore, Asst. Dist. Att'y
Montgomery County Dist. Att'ys Office
207 W. Phillips, Second Floor
Conroe, Texas 77301

on this the 7th day of May, 2018.

A handwritten signature in black ink, appearing to be "Q. L. R.", written over a horizontal line.

Petitioner/Affiant

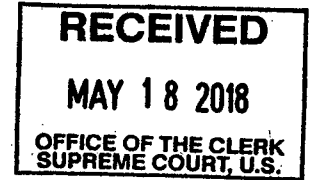
A T T A C H M E N T

Michael Bohannon #1841746

2664 FM 2054

Tennessee Colony, Texas 75886

May 7, 2018



The Honorable Scott S. Harris, Clerk
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543-0001

Re: Bohannon v. State

No.

Tex.Ct.Cr.App. No. PD-0347-15

Dear Mr. Harris:

Please find enclosed my application for an extension of time in which to file my petition for a writ of certiorari. Please bring it to the attention of the Court.

Thank you for your time and attention.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael W. Bohannon".

Michael W. Bohannon

cc: William Delmore, Asst. Dist. Att'y
file