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September 18, 2018

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

Re: *Mamou v. Davis* (No. _____) (5th Cir. No. 17-70001)
(Application for extension of time to file petition for certiorari)

Dear Mr. Harris:

I represent petitioner Charles Mamou Jr. in this capital case in which the Fifth Circuit Court of Appeals denied relief on July 19, 2018.¹ Hence, a petition for writ of certiorari is due by October 17, 2018. I write to request a 30-day extension of time for filing the petition. I have conferred via e-mail with counsel for Respondent, Mr. Andrew Davis, on September 17, 2018, who has indicated that he does not oppose this request.

The reasons for this request are the press of briefing deadlines in the period from the Fifth Circuit's ruling to the current deadline, including the following:

In the capital case of *Acker v. Davis*, No. 16-70017 (5th Cir.) (No. 17-7045, S. Ct.), I filed a state successive petition in the Texas Court of Criminal Appeals on August 31, 2018, a reply brief on September 14, 2018, and a clemency petition on September 5, 2018. Mr. Acker has an execution date of September 27, 2018. In *Coble v. Davis*, No. 18-5546, a petition for certiorari was filed in this Court on August 7, 2018 and a reply brief was filed on September 17, 2018. In the capital case of *Haynes v. Davis* (18A221) a petition for certiorari is due in this Court by October 18, 2018. In the capital habeas matter of *Cornwell v. Warden*, No. 2:06-cv-00705 (E.D. Ca.), lengthy objections to the magistrate's report were

¹ That opinion, *Mamou v. Davis*, No. 17-70001 is included herein.

filed on August 14, 2018. In the capital case of *Atkins v. Filson*, No. 2:02-cv-1348 (D. Nev.) a lengthy reply brief was filed on September 7, 2018. In the direct appeal of *People v. Perez*, No. S104144 (Ca. Sup. Ct.), a petition for certiorari was filed in this Court on July 18, 2018. In the habeas matter of *In re Perez* (S241863, Ca. Sup. Ct.) I am drafting a lengthy reply to Respondent's Answer which is currently due by October 5, 2018. *Ex parte Tomas Gallo*, Cause No. WR-77,940-03 (Harris County, Texas) was remanded to state court and an evidentiary hearing is likely. Additionally, counsel for petitioner attended a national habeas conference in Baltimore, Maryland from August 9 through August 12, 2018.

Petitioner respectfully requests an extension of thirty (30) days to file his petition for writ of certiorari, creating a new deadline of November 16, 2018 for submission of the petition.

As stated above, counsel for Respondent is unopposed to this request and is being provided with notice of this request by e-mail.

Should you require any additional information, please contact me at (415) 389-6771 or at the above e-mail address.

Thank you very much for your assistance.

Sincerely yours,

/s/ A. Richard Ellis

A. Richard Ellis
Counsel for Petitioner

cc: Mr. Andrew Davis; Andrew.Davis@oag.texas.gov

CERTIFICATE OF SERVICE

I certify that on September 18, 2018, the foregoing application for an extension of time to file a petition for certiorari was served via the Court's Document Filing System, upon the following counsel of record for Respondent:

Mr. Andrew Davis
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/s/ A. Richard Ellis

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