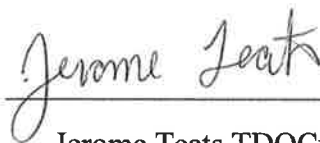


UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

JEROME TEATS,) CASE NO. _____
Petitioner) _____
)
VS.)
)
KEVIN GENOVESE, Warden)
Respondent)

APPLICATION FOR EXTENSION TO SUBMIT A PETITION FOR WRIT OF CERTIORARI

On appeal from the United States court of Appeals, Sixth Circuit



Jerome Teats TDOC# 313227

N.W.C.X.

960 State Route 212

Tiptonville, Tennessee 38079

PROOF OF SERVICE

I, Jerome Teats, proceeding pro se hereby certifies under penalty of perjury, as required by Supreme Court Rule 29, that an exact copy of the foregoing:

APPLICATION FOR EXTENSION TO SUBMIT A PETITION FOR WRIT OF CERTIORARI

RECEIVED
NOV 13 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Pursuant to Supreme Court Rule 13 (5) Teats, the petitioner, requests an extension of 60 days to submit a petition for a writ of certiorari. The reasons for the request are explained below.

A. The petitioner submitted a Petition for Panel Rehearing. The petition was filed denied on July 31, 2023. This Order triggered the 90-day deadline according to Sup. Ct. Rule 13 (3). (Exhibit 1)

B. The petitioner submitted a petition for more time to submit a Petition for Rehearing En Banc, (Exhibit 2). A filed Order was made on August 18, 2023 authorizing the return of Teats' petition. The Sixth Circuit Order stated request was subject to the "successive petition" law expoused by the U.S. Sup. Ct. (Exhibit 3). According to Sup. Ct. Rule 13 (3) this Order triggers the 90-day deadline to submit a writ of Certiorari.

The August 18th Order created confusion as to the appropriate 90-day trigger date. Supreme Ct. Rule 13(3) language supports a trigger date for the August 18th and July 31st Order. In light of this Teats submitted a handwritten petition lacking full compliance with all Sup. Ct. rules in order for this Court to maintain jurisdiction.

C. The petitioner has 3 questions, that will be raised in the writ of certiorari:

i. Did the petitioner satisfy the "Exhaustion Rule" by submitting his claims to the Tenn. Ct. of Crim. App. by way of a Motion to Rehear? Exhibit 4

ii. Should a Petition for Rehearing En Banc be treated as a "successive" petition when a Panel Rehearing petition has been submitted and adjudicated?

iii. Did the decision in *Martinez v. Ryan* 132 S.Ct. 1309 (2012) require claims to be

raised beyond the initial collateral proceeding in states like Tennessee's procedural framework?

D. A sixty-day extension is needed so the petitioner can fully comply with Sup. Ct. rules, type up the writ of certiorari, and this Court can clarify what the true due date is. In addition this facility is prone to lockdowns and staff shortages that prevent the access to the law library.

Conclusion

Wherefore the petitioner prays this Court will grant an extension to submit a Writ of Certiorari for the reasons in this petition or any reason it sees fit.

Respectfully submitted,

Jerome Teats

Date: October 30th 2023