

**OCTOBER TERM 2024**

**No. 24A545**

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IN THE SUPREME COURT OF THE UNITED STATES

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BARTHOLOMEW GRANGER,

Petitioner,

v.

BOBBY LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
CORRECTIONAL INSTITUTIONS DIVISION,

Respondent.

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**CAPITAL CASE**

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**SECOND APPLICATION TO THE  
HONORABLE SAMUEL A. ALITO, JR., FOR EXTENSION OF TIME  
TO FILE A PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT**

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Petitioner Bartholomew Granger, through undersigned counsel, respectfully moves for an extension of seven (7) days to prepare and file his Petition for Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit. In support thereof, Petitioner respectfully submits as follows:

1. This is a capital case brought by a Texas state prisoner. This Court has jurisdiction under 28 U.S.C. § 1257(a). Petitioner seeks review of the Court of Appeals' decision entered on July 30, 2024 (attached to original Application for Extension as Attachment A), denying a certificate of appealability following the district court's denial of habeas relief.

*Granger v. Lumpkin*, No. 1:17-CV-291, 2023 WL 2224444 (E.D. Tex. Feb. 24, 2023), *certificate of appealability denied*, No. 24-70001, 2024 WL 3582651 (5th Cir. July 30, 2024).

2. Petitioner's Petitions for Rehearing and Rehearing En Banc were denied by the Court of Appeals on September 13, 2024 (attached to original Application for Extension as Attachment B). Petitioner, through undersigned counsel, wishes to file a Petition for Writ of Certiorari to seek this Court's review of the Fifth Circuit's judgment. Pursuant to Rule 13 of the Rules of the Supreme Court of the United States, Petitioner had until December 12, 2024 in which to file a petition for certiorari review.

3. On November 27, 2024, Petitioner filed an application for a sixty-day extension of time in which to file his certiorari petition. On December 4, 2024, Justice Alito granted a thirty day extension of time, until January 11, 2025, to file the certiorari petition.

4. Undersigned counsel has attempted to be ready to file a certiorari petition by that date. However, urgent and competing obligations in other cases have hindered Petitioner's counsel from preparing a professionally appropriate certiorari petition by January 11, 2025.

5. As described in the original application, undersigned counsel, Shawn Nolan, had a Petitioner's Brief due on December 3, 2024, before this Court in another case (*Gutierrez v. Saenz*, No. 23-7809); had a brief due in the United States District Court for the Northern District of Indiana on November 29, 2024 (*Isom v. Neal*, No. 2:21-CV-231); and currently has a client on Texas death row facing an execution date on February 13, 2025 (Richard Tabler).

6. These ongoing obligations in Mr. Gutierrez's and Mr. Tabler's cases have prevented counsel from being able to adequately prepare a petition for certiorari by the current due date. Undersigned counsel requests additional time in which to do so.

7. In accordance with this Court's Rule 13.5, this request is being made more than ten (10) days in advance of the current filing deadline and is timely.

8. Under the circumstances, which include both the timing issues outlined above and the complexity of the issues in this case, the undersigned respectfully requests that this Court grant Mr. Granger's request to extend the date by which to file his Petition for Writ of Certiorari by seven (7) days, or until January 18, 2025.

9. The granting of this request shall cause no prejudice to Respondent. This request is made in good faith and is not predicated on an intent to delay the resolution of this litigation.

WHEREFORE, Petitioner prays that the Court allow a seven (7) day extension for the preparation and filing of his Petition for Writ of Certiorari.

Respectfully submitted,

/s/ Shawn Nolan  
SHAWN NOLAN  
*Counsel of Record*, Member of the Supreme  
Court Bar  
Chief, Capital Habeas Unit  
Federal Community Defender for the  
Eastern District of Pennsylvania  
601 Walnut Street, Suite 545 West  
Philadelphia, PA 19106  
Shawn\_Nolan@fd.org  
(215) 928-0520

Dated: December 31, 2024