

NO. \_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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GUSTAVO TIJERINA SANDOVAL,

*Petitioner,*

vs.

TEXAS

*Respondent.*

\_\_\_\_\_  
**On Petition for a Writ of Certiorari to  
the Court of Criminal Appeals of Texas**

**APPLICATION FOR A 60-DAY EXTENSION OF TIME TO FILE A  
PETITION FOR A WRIT OF CERTIORARI TO THE TEXAS  
COURT OF CRIMINAL APPEALS**

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# **APPLICATION FOR A 60-DAY EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE TEXAS COURT OF CRIMINAL APPEALS**

To the Honorable Samuel Alito, Associate Justice, and Circuit Justice for the United States Court of Appeals for the Fifth Circuit:

1. This is a direct appeal proceeding from a criminal conviction. On March 6, 2025, the Court of Appeals for the Thirteenth District of Texas (“13th Court of Appeals”) affirmed Gustavo Tijerina Sandoval’s conviction of attempted capital murder and life sentence (attached as Appendix A).
2. On April 7, 2025, Mr. Tijerina Sandoval timely sought discretionary review in the Texas Court of Criminal Appeals (TCCA). On June 4, 2025, the TCCA refused Appellant’s Petition for Discretionary Review (attached as Appendix B).
3. This Court has jurisdiction pursuant to 28 U.S.C. § 1257(a).
4. At present, Mr. Tijerina Sandoval has until September 2, 2025, to file a petition for a writ of certiorari seeking review of the TCCA’s decision. *See* Sup. Ct. R. 13.1, 13.3.
5. Under Rule 13.5 and Rule 30.3, this Court may extend the time for seeking certiorari for up to sixty (60) additional days. Your Honor should grant an extension of sixty (60) days under the circumstances, up to and including November 3, 2025.<sup>1</sup>
6. Counsel for the respondent does not oppose the requested extension of time.

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<sup>1</sup> Sixty days from September 3, 2025 is November 1, 2025, which is a Saturday. November 3 is the next day that is not a Saturday, Sunday, federal legal holiday, or day on which the Court building is closed. Sup. Ct. R. 30.1.

7. The issues to be presented in Mr. Tijerina Sandoval's case are significant, including the right to a jury trial under the Sixth and Fourteenth Amendments to the United States Constitution.

8. Undersigned counsel is senior counsel at a non-profit legal services corporation (Texas Defender Service ("TDS")), which provides direct legal representation to individuals convicted of capital murder and sentenced to death or convicted of other serious felony offenses. In this capacity, undersigned counsel serves as counsel on several capital cases which have been active over the last two months and have required a significant amount of counsel's time.

9. More specifically, undersigned counsel is appointed pursuant to 18 U.S.C. § 3599 to represent Blaine Milam, who currently has an execution date scheduled for September 25, 2025. Mr. Milam's case currently requires the majority of counsel's time, and she anticipates it will continue to do so through most of the month of September. Consequently, additional time is needed to prepare the petition for writ of certiorari in Mr. Tijerina Sandoval's case.

### **CONCLUSION**

For the foregoing reasons, the application for extension of time should be granted, extending Ms. Tijerina Sandoval's time to file a petition for writ of certiorari for sixty (60) days, until November 3, 2025.

Respectfully submitted,

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