

# **LAW OFFICE OF PATRICK C. COPPEN, P.C.**

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***THE HONORABLE ELENA KAGAN  
JUSTICE OF THE UNITED STATES SUPREME COURT***

***Circuit Justice of the 9<sup>th</sup> Circuit Court of Appeals***

***C/O The Clerk of the Supreme Court***

***United States Supreme Court***

***One First Street, NE***

***Washington, D.C. 20543***

November 28, 2025

**RE: 2<sup>nd</sup> CORRECTED APPLICATION FOR AN EXTENSION  
OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI  
IN A *DEATH PENALTY* CASE FROM DENIAL OF REVIEW  
BY THE ARIZONA SUPREME COURT IN *STATE OF  
ARIZONA V. JULIUS JARREAU MOORE*, CR23-0199 PC**

Dear Justice Kagan,

I am writing to on behalf of my *death penalty* client Julius Jarreau Moore, whose Petition for Review of his convictions and death sentences was recently denied by the Arizona Supreme Court. Pursuant to Rule 13.4 of the Rules of the United States Supreme Court, I am respectfully requesting a 60 day extension of time, to and including February 6, 2026, within which to file a petition for a writ of certiorari in Mr. Moore's case. It is noteworthy that the judgement of the Arizona Supreme Court was entered on September 9, 2025 in this matter. Absent an extension, the petition for writ of certiorari would be due on December 8, 2025. The United States Supreme Court has jurisdiction pursuant to 28 U.S.C. 1254 (1). The original Application for an Extension of Time to File Petition for Writ of Certiorari in the present Death Penalty case was mailed to the United States Supreme Court Clerk's Office on Mon. 11/17/2025 from the Main Post Office (Cherrybell) in Tucson, Arizona, yet it incorrectly requested a 90 day extension and was not accompanied by a copy of the Arizona Supreme Court's Minute Entry in Mr. Moore's case denying both oral argument and review.

## Reasons for Extension

The reasons for the requested 60 day extension to file Mr. Moore's Petition for Writ of Certiorari are as follows.

First, Mr. Moore is legally blind whereby he has substantial visual impairment requiring that the pleadings and legal research in his case must be read to him, generally in person, or that he must have unfettered access to the Computerized Document Reader available at the Arizona State Prison Complex Tucson Inmate Library, which access is first come, first serve, and is only available for limited times each week.

Secondly, Petitioner Moore's case presents significant and important federal constitutional issues arising from the following unique circumstances of his case which arguably resulted in his wrongful *capital* convictions and death penalty sentences.

Since he was 18 years old, Defendant Julius Jarreau Moore has maintained that he is innocent of the Yale Crackhouse homicides that occurred on November 16, 1999 in Phoenix, Arizona, at which time the *original* suspect, Tony Lamont Brown, was seen by multiple witnesses to be either brandishing a firearm or running from the scene of the homicides immediately after the shooting. At trial, several witnesses stated that Defendant Julius Jarreau Moore closely resembled original suspect Brown, including the State's only eyewitness, surviving victim Deborah Ford, who could not identify Defendant Moore as the perpetrator of the homicides on three (3) separate occasions including when shown a six pack line-up a few days after the shooting, viewing a video line-up within a few weeks of the shooting, and on the first day of trial when she questioned who Mr. Moore was prior to the commencement of the Moore guilt phase trial on "911", the very day our country was under attack by terrorists who struck the Twin Towers in New York City. It is especially noteworthy that following Mr. Moore's convictions he was offered a life sentence if would just admit to committing the offenses, yet, *in good conscience he could not do so.*

Sadly, Mr. Moore became the victim of a number of alleged miscarriages of justice which ultimately led to his believed wrongful convictions in this case.

At the time of his guilt phase trial, Petitioner Moore was battling the serious

medical condition Diabetic Ketoacidosis, which was alleged to the Post Conviction court to have been caused by the State failing to properly feed him throughout trial nor give him his *prescribed* insulin, and which combination caused him to be incompetent at the time of trial, being unable to understand the nature of his case, nor assist counsel in his defense.

During the pretrial and guilt phase of trial, former trial counsel was admittedly gravely ineffective because he *not only* failed to properly investigate Mr. Moore's case as required by longstanding United States Supreme Court authority in *Strickland v. Washington* (1984) as confirmed by this Court's 2014 decision in *Hinton v. Alabama* related to the 3<sup>rd</sup> Party culpability of Tony Brown and present this 3<sup>rd</sup> Party Culpability Defense at trial, yet *failed to call a single witness to testify at trial in Petitioner's defense* and essentially cross examining the State's witnesses in order to frontload mitigation concerning Petitioner's drug use contemporaneous to the homicides effectively admitting his guilt, with such blatant error by counsel rivaling that found by the United States Supreme Court's more recent decision in *McCoy v. Louisiana* in which former trial counsel admitted Defendant McCoy's guilt waiving his right to the presumption of innocence without his client's consent, leaving Mr. Moore in this case without any effective representation at a critical phase of trial in apparent violation of *United States v. Cronin* which found that the lack of legal representation at a critical phase of trial is *per se* ineffective assistance requiring a new trial.

Petitioner Moore's case was also plagued by alleged egregious State misconduct in that the police had not only *planted evidence* in his bed to wrongly tie him to the homicides, yet purposely destroyed DNA evidence that would have exonerated him. Due to the unique nature of the alleged misconduct, Petitioner respectfully submits that: 1) the planted evidence by police used to convict Mr. Moore constitutes or fulfills the United States Supreme Court's holding in *United States v. Russell* in which the Supreme Court held that while entrapment of a criminal defendant may not be outrageous governmental conduct requiring dismissal, that there existed a level of misconduct by the State so outrageous that dismissal would be the appropriate remedy; and 2) the purposeful destruction of DNA evidence by the State in a particular case by which it may be inferred from the State's misconduct the destruction of the DNA evidence was to prevent a criminal defendant's exoneration, satisfying the requirements of the Supreme Court's holding in *Youngblood v. Arizona*, requiring that Petitioner Moore's convictions be vacated and his case dismissed with prejudice.

This case therefore presents three questions:

- 1) Whether *Capital* Petitioner Julius Jarreau Moore's Sixth Amendment constitutional right to a fair trial was violated by the state court because he was not competent at the time of his 2001 guilt phase jury trial due to suffering from a serious medical condition or diabetic ketoacidosis caused by the State's misconduct in failing to give him prescribed diabetes medication nor properly feed him during the guilt phase of trial and which condition rendered him incompetent throughout the proceeding?
- 2) Whether *Capital* Petitioner Julius Jarreau Moore's 6<sup>th</sup> Amendment right to be represented by competent trial counsel was violated due to substantial Ineffective Assistance of Counsel (IAC) under *Strickland v. Washington* and *Hinton v. Alabama* due to former counsel's failure to not only properly investigate and present readily available 3<sup>rd</sup> Party culpability evidence, yet to call a single witness in his defense which limited defense was notably substantially comprised of cross examining the State's witnesses to frontload mitigation as to his drug addiction, suggesting Mr. Moore's guilt in the case and constituting such grave ineffective assistance of counsel or misconduct so as to rival *McCoy v. Louisiana*?
- 3) Whether the State's alleged egregious misconduct in both planting evidence in Petitioner Moore's bed to wrongfully tie him to the 1999 Yale Crackhouse homicides, and by purposely destroying exculpatory DNA evidence related to blood plainly evident on a knife found near the 1<sup>st</sup> chronological victim's body respectively violated the U.S. Supreme Court's holdings in *U.S. v. Russell* and *Arizona v. Youngblood* by which both outrageous governmental conduct and the destruction of evidence, if proven, require dismissal of his case with prejudice?

Third, counsel requires additional time to review and analyze the extensive or voluminous trial and appellate record, as well as to conduct further legal research on the referenced complex constitutional claims to be raised in Mr. Moore's Petition for Certiorari. Further, assigned counsel presently has obligations in other pending felony/appellate matters. Finally, assigned counsel has an elderly and disabled household loved one or extended family member who is battling life

threatening cancer which has metastasized, yet for which she is receiving ongoing medical treatment.

### **Conclusion**

Petitioner Julius Jarreau Moore's request is made in good faith, shall further the interests of justice in this death penalty matter, and is not for the purposes of delay, yet to allow court appointed counsel to be able to prepare an appropriate Petition for Writ of Certiorari, with the assistance of Petitioner Moore, such that it may be assured that the forthcoming petition both fully and accurately presents the best issues for this most honored Court's review.

For the foregoing reasons, Petitioner respectfully requests that the time to file a petition for a writ of certiorari be extended by 60 days, to and including February 6, 2025.

**Respectfully submitted** this 28th Day of November, 2025.

\_\_\_\_\_/s/\_\_\_\_\_  
Signature of ☒ Attorney or ☐ Self-Represented Party \_\_\_\_\_

Patrick C. Coppen, Esq.

Attorney for Capital Petitioner Julius J. Moore

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A copy of the foregoing was emailed with  
the attached Supplemental Sworn Declaration  
this 30<sup>th</sup> day of November, 2026 to:

The Honorable Frank Moskowitz  
Judge of the Superior Court of Arizona  
Maricopa County Superior Court

Mr. Greg Hazard, Esq.  
Asst. Arizona Attorney General  
Arizona Attorney General's Office



# Supreme Court

STATE OF ARIZONA

**ANN A. SCOTT TIMMER**  
Chief Justice

ARIZONA STATE COURTS BUILDING  
1501 WEST WASHINGTON STREET, SUITE 402  
PHOENIX, ARIZONA 85007  
TELEPHONE: (602) 452-3396

**AARON C. NASH**  
Clerk of the Court

September 9, 2025

**RE: STATE OF ARIZONA v JULIUS JARREAU MOORE**  
Arizona Supreme Court No. CR-23-0199-PC  
Maricopa County Superior Court No. CR1999-016742

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on September 9, 2025, regarding to the above-referenced cause:

**ORDERED: Motion for Procedural Order to Allow Oral Argument Regarding Defendant's Petition for Review in a Death Penalty Case Involving Manifest Injustice = DENIED.**

**FURTHER ORDERED: Amended Petition for Review of Summary Dismissal of Post Conviction Relief in Death Penalty Case = DENIED.**

Vice Chief Justice Lopez and Justice Beene did not participate in the determination of this matter.

Aaron C. Nash, Clerk

TO:

Jason Lewis

Gregory Michael Hazard

Patrick C Coppen

Julius Jarreau Moore, ADOC 218107, Arizona State Prison, Tucson

- Rincon Unit

Therese Day

Amy Armstrong

Erin Bennett

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