

No.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2025

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STEVEN MULKEY,

Petitioner,

v.

STATE OF ALABAMA,

Respondent.

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**Application for an Extension of Time  
to File a Petition for a Writ of Certiorari to the  
Alabama Court of Criminal Appeals**

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**To the Honorable Clarence Thomas, Associate Justice of the  
Supreme Court of the United States and Circuit Justice for the United  
States Court of Appeals for the Eleventh Circuit:**

Pursuant to Rules 13.5 and 30 of the Rules of this Court, Petitioner Steven Mulkey respectfully requests a thirty (30) day extension of time to file a petition for his writ of certiorari in this Court.

1. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1257(a).

2. On May 2, 2025, the Alabama Court of Criminal Appeals affirmed Mr. Mulkey's capital murder convictions and death sentence. Mulkey v. State, No. CR-2023-0304, 2025 WL 1272751 (Ala. Crim. App. May 2, 2025). (Attached as Exhibit 1.) On August 15, 2025, the Court of Criminal Appeals denied Mr. Mulkey's application for rehearing. (Attached as Exhibit 2.) On December 19, 2025, the Alabama Supreme Court denied Mr. Mulkey's Petition for Writ of Certiorari. (Attached as Exhibit 3.)

3. Pursuant to Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed on or before March 19, 2026. In accordance with Rule 13.5, this application is being filed at least 10 days in advance of the filing date for the petition for a writ of certiorari.

4. This is a capital case in which the death penalty has been imposed. Mr. Mulkey is incarcerated at Holman Correctional Facility in Atmore, Alabama.

5. Mr. Mulkey's case raises serious questions regarding the constitutionality and reliability of his capital convictions and death sentence that require careful presentation in his petition for certiorari.

6. Undersigned counsel currently is involved in many other death penalty cases, including numerous cases on direct appeal. Many of these cases have imminent filing deadlines and require counsel's immediate attention. Moreover, the State of Alabama has no system for providing legal representation

to death row prisoners after the completion of direct appeal. There are many Alabama death row prisoners currently without counsel facing filing deadlines in this Court, in state postconviction cases, and in the lower federal courts. Counsel is actively engaged in assisting these prisoners.

7. Undersigned counsel has taken on Mr. Mulkey's case pro bono but needs an additional thirty (30) days to prepare a petition that adequately apprises this Court of the relevant facts and law in this case.

For these reasons, Mr. Mulkey respectfully requests an additional thirty (30) days in which to file his petition for writ of certiorari, thereby changing to April 20, 2026,<sup>1</sup> the date on or by which it must be filed.

Respectfully submitted,

s/ Randall Susskind  
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March 5, 2026

*Counsel for Steven Mulkey*

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<sup>1</sup> Thirty days following March 19, 2026 is Saturday, April 18, 2026. Pursuant to Rule 30.1, the petition would be due Monday, April 20, 2026.