

No. 26-_____
(CAPITAL CASE)

IN THE
Supreme Court of the United States

CLARANCE ROZELL GOODE, JR., PETITIONER,

V.

STATE OF OKLAHOMA, RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE OKLAHOMA COURT OF CRIMINAL APPEALS

**PETITIONER'S APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR A WRIT OF CERTIORARI**

**TO THE HONORABLE NEIL M. GORSUCH, CIRCUIT JUSTICE FOR THE TENTH
CIRCUIT:**

Pursuant to Rules 13.5, 22, 29, 30.2, and 30.3 of the Rules of the Supreme Court of the United States, Petitioner Clarence Rozell Goode, Jr., respectfully applies for a thirty-day extension of time, from September 9, 2026, to October 9, 2026, within which to file a petition for a writ of certiorari to review the judgment of the Oklahoma Court of Criminal Appeals. In accordance with Supreme Court Rule 13.5, this Application is submitted at least ten days prior to the present due date. In support of this application, Petitioner shows the Court as follows:

BACKGROUND

Mr. Goode is incarcerated under a conviction of three counts of First-Degree Murder for which he has been sentenced to death. On June 11, 2026, the Oklahoma Court of Criminal Appeals issued its Opinion Denying Subsequent Application for Post-Conviction Relief, Motion for Evidentiary Hearing, and Motion for Discovery in Case No. PCD-2025-572. A copy of the Opinion is attached as Exhibit A.

REASONS FOR GRANTING THE EXTENSION

The requested extension is made in good faith and not for the purpose of delay. Good cause exists to grant this application. The additional time is necessary to allow counsel to prepare a thorough and complete petition for a writ of certiorari addressing substantial federal constitutional questions arising from this capital case, including claims under *Brady v. Maryland*, 373 U.S. 83 (1963), and *Napue v. Illinois*, 360 U.S. 264 (1959). Furthermore, the record in this matter is extensive, spanning Petitioner's trial, direct appeal, and six post-conviction proceedings. The issues presented involve complex questions concerning the State's duty to disclose impeachment evidence, the presentation of allegedly false testimony, and the prejudice analysis required in state subsequent post-conviction applications.

Undersigned counsel requires additional time to thoroughly review the record, research applicable Supreme Court precedent, and draft a petition that adequately presents the substantial federal questions at issue in this capital case. Undersigned counsel serves as the First Assistant Federal Public Defender for the Western District of Oklahoma, and in that role, carries substantial daily administrative and

supervisory duties. Further, undersigned counsel carries first-chair responsibilities in numerous active capital habeas cases and manages an office facing client executions every 90 days. In the time since the underlying decision at issue was rendered, undersigned counsel served as lead counsel at the clemency hearing and end-of-life litigation for Carlos Cuesta-Rodriguez, executed by the State of Oklahoma August 13, 2026. An extension of thirty (30) days is necessary and will afford counsel sufficient time to prepare and file a complete and thorough petition for a writ of certiorari.

Opposing counsel, Assistant Attorney General Jennifer Crabb, has been consulted regarding this matter and she does not object to an extension. No other extension requests have been made, the requested extension will not prejudice the Respondent, and no party will be harmed by a brief delay in filing the petition.

This Court has repeatedly emphasized that “our duty to search for constitutional error with painstaking care is never more exacting than it is in a capital case.” *Burger v. Kemp*, 483 U.S. 776, 785 (1987). It is respectfully submitted that counsel’s duty to present all authorized claims of constitutional error with painstaking care is equal or greater. Thus, it is important that counsel be granted additional time to research the constitutional issues at hand so that counsel may prepare Mr. Goode’s petition with the care and accuracy demanded of such cases.

CONCLUSION

Wherefore, in the interest of justice and for good cause shown, Petitioner respectfully requests that this Honorable Court grant an extension of time of thirty

(30) days, from September 9, 2026, to October 9, 2026, within which to file a petition for a writ of certiorari.

Respectfully submitted,

s/ Emma V. Rolls

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