

No. _____

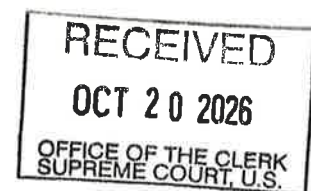
IN THE
SUPREME COURT OF THE UNITED STATES

JASON DEWANE GREEN,	)	
Applicant,	)	
v.	)	
WILLIAM STREETER, Warden,	)	
	)	
and	)	
	)	
ATTORNEY GENERAL	)	
OF THE STATE OF ALABAMA,	)	
	)	
Respondents.	)	

**APPLICATION FOR AN EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

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

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, applicant Jason Dewane Green respectfully requests a 60 - day extension of time within which to file a petition for a writ of certiorari in this case.
2. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1). The judgment sought to be reviewed was entered by the United States Court of Appeals for the Eleventh Circuit, a court of appeals of the United States.



3. Applicant seeks review of the order of the United States Court of Appeals for the Eleventh Circuit entered July 16, 2026, in *Green v. Willima Streeter*, No. 26-10061, denying applicant's motion for a certificate of appealability and denying his motion to exceed the word limit. A copy of that order is attached as Exhibit A. Applicant timely moved for reconsideration of that order under 11th Cir. R. 27-2, and the Court of Appeals denied that motion on August 31, 2026. A copy of the order denying reconsideration is attached as Exhibit B.
4. Applicant's motion for reconsideration was filed on August 6, 2026, within the twenty-one days allowed by 11th Cir. R. 27-2, and was therefore timely. Under 11th Cir. R. 22-1, the denial of a certificate of appealability may be the subject of a motion for reconsideration but may not be the subject of a petition for panel rehearing or rehearing en banc; a motion for reconsideration is accordingly the only means by which a party in applicant's position may seek rehearing of such an order. Applicant understands Supreme Court Rule 13.3 to provide that the time to file a petition for a writ of certiorari runs from the August 31, 2026 denial of that motion, making the petition due November 30, 2026. Out of an abundance of caution, and in the event the time is measured instead from the July 16, 2026 order, applicant notes that the petition would in that event be due October 14, 2026, and he requests the extension sought here from whichever date is determined to control. This application is submitted more than ten days before the earlier of those two dates.
5. Applicant is incarcerated at the Limestone County Correctional Facility in Harvest, Alabama, and submits this application *pro se*.

6. The proceedings below have a lengthy and procedurally complex history, involving a state trial and direct appeal, state post-conviction proceedings under Rule 32 of the Alabama Rules of Criminal Procedure, a federal habeas corpus petition under 28 U.S.C. § 2254, and proceedings in the Court of Appeals. Preparing a petition that presents the questions accurately and concisely requires review of a substantial record, which applicant's incarceration makes more difficult to accomplish without additional time.
7. This application is made in good faith and not for purposes of delay. No previous application for an extension of time has been made in this case.

WHEREFORE, applicant respectfully requests that the time within which to file a petition for a writ of certiorari be extended by 60 days.

Respectfully submitted,



Jason Dewane Green

Applicant, pro se

AIS No. 00299182

Limestone County Correctional Facility

28779 Nick Davis Road

Harvest, Alabama 35749

Dated: Sep 24th, 2026

PROOF OF SERVICE

I, Jason Dewane Green, declare under penalty of perjury that on sep 24th, 2026, I deposited in the internal mail system of the Limestone County Correctional Facility, with first-class postage prepaid, a copy of the foregoing Application for an Extension of Time to File a Petition for a Writ of Certiorari, addressed to counsel for respondents at the following address:

Office of the Attorney General of Alabama
Criminal Appeals Division
501 Washington Avenue
Post Office Box 300152
Montgomery, Alabama 36130-0152

I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.


Jason Dewane Green

Dated: sep 24th, 2026

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

July 16, 2026

Clerk - Northern District of Alabama
U.S. District Court
101 HOLMES AVE
HUNTSVILLE, AL 35801

Appeal Number: 26-10061-J
Case Style: Jason Green v. Warden, et al
District Court Docket No: 5:24-cv-01501-MHH-GMB

The enclosed copy of this Court's order denying the application for a Certificate of Appealability is issued as the mandate of this court. See 11th Cir. R. 41-4. Counsel and pro se parties are advised that pursuant to 11th Cir. R. 27-2, "a motion to reconsider, vacate, or modify an order must be filed within 21 days of the entry of such order. No additional time shall be allowed for mailing."

Any pending motions are now rendered moot in light of the attached order.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Enclosure(s)

DIS-4 Multi-purpose dismissal letter

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10061

JASON DEWANE GREEN,

Petitioner-Appellant,

versus

WARDEN,

ATTORNEY GENERAL OF THE STATE OF ALABAMA,

Respondents-Appellees.

Appeal from the United States District Court
for the Northern District of Alabama
D.C. Docket No. 5:24-cv-01501-MHH-GMB

ORDER:

Jason Green, an Alabama prisoner serving a total 20-year sentence for reckless manslaughter, possession of marijuana, and possession of drug paraphernalia, appeals the denial of his 28 U.S.C. § 2254 petition. Green now seeks a certificate of appealability

(“COA”) on four grounds:¹ (1) the Alabama Court of Criminal Appeals (“CCA”) did not adjudicate his claims of ineffective assistance of counsel on the merits, and his trial counsel provided ineffective assistance by failing to object to the causation jury instruction; (2) the district court erred by refusing to consider his trial counsel’s affidavit; (3) he can overcome the procedural default of his § 2254 claims by demonstrating his actual innocence; and (4) the district court erred by dismissing his § 2254 petition, instead of allowing him to return to state court to exhaust his claims. Green also moves to exceed the word limit for his COA motion.

To obtain a COA, a petitioner must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). For claims denied on procedural grounds, he must show that reasonable jurists would debate (1) whether the district court was correct in its procedural ruling, and (2) whether the petition states a valid claim of the denial of a constitutional right. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (quotation marks omitted). For claims denied on substantive grounds, the petitioner must show that “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong” or that the issues “deserve encouragement to proceed further.” *Id.*

To prove ineffective assistance of counsel, a movant must show that (1) counsel’s performance was deficient, and (2) the

¹. This order does not address Green’s remaining COA claims that he did not raise in his § 2254 petition. See *Hurley v. Moore*, 233 F.3d 1295, 1297 (11th Cir. 2000).

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Order of the Court

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deficient performance prejudiced his defense. *Strickland v. Washington*, 466 U.S. 668, 687 (1984). Conclusory statements, unsupported by specific facts or by the record, are insufficient to state a claim for ineffective assistance of counsel in a collateral proceeding. *Tejada v. Dugger*, 941 F.2d 1551, 1559 (11th Cir. 1991).

Here, by determining that Green had not demonstrated how his counsel's actions were not deliberate trial strategy, the Alabama CCA correctly applied the *Strickland* standard and evaluated Green's claim on the merits. *See Strickland*, 466 U.S. at 689. Furthermore, Green failed to provide proof of his counsel's deficient performance beyond his own assertions and cannot show that his counsel's failure to object to the causation instruction amounted to ineffective assistance of counsel. *See Tejada*, 941 F.2d at 1551; *Strickland*, 466 U.S. at 687. Thus, no COA is warranted on Ground 1.

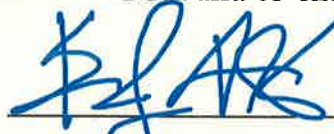
Review under § 2254(d)(2) is limited to the record that was before the state court. *Landers v. Warden, Att'y Gen. of Ala.*, 776 F.3d 1288, 1295 (11th Cir. 2015). Here, reasonable jurists would not debate the district court's refusal to consider trial counsel's affidavit, which Green introduced in his reply to the state's response to his § 2254 petition, thus making it not part of the state court record. *See Landers*, 776 F.3d at 1295. Therefore, no COA is warranted on Ground 2.

If the claim is unexhausted, it is subject to procedural default in federal court. *Bailey v. Nagle*, 172 F.3d 1299, 1302-03 (11th Cir. 1999). A procedural default may be excused if the movant shows (1) cause for the default and actual prejudice from the alleged error,

or (2) that he is actually innocent of the crimes for which he was convicted. *See Ward v. Hall*, 592 F.3d 1144, 1156-57 (11th Cir. 2010).

Here, reasonable jurists would not debate the district court's denial of Ground 3. Green has not presented any new evidence establishing his actual innocence to excuse his procedural default of his § 2254 claims. Thus, no COA is warranted on Ground 3. Reasonable jurists also would not debate the district court's denial of Ground 4 because any subsequent Rule 32 petition that Green tried to bring to exhaust his claims would be time-barred. *See Ala. R. Crim. P. 32.2(c)*. Thus, no COA is warranted on Ground 4.

Accordingly, Green's motions for a COA and to exceed the word limit are DENIED.

A handwritten signature in blue ink, appearing to read 'J. L. ARK', is written over a horizontal line.

UNITED STATES CIRCUIT JUDGE

In the
United States Court of Appeals
For the Eleventh Circuit

No. 26-10061

JASON DEWANE GREEN,

Petitioner-Appellant,

versus

WARDEN,

ATTORNEY GENERAL OF THE STATE OF ALABAMA,

Respondents-Appellees.

Appeal from the United States District Court
for the Northern District of Alabama
D.C. Docket No. 5:24-cv-01501-MHH-GMB

Before ROSENBAUM and KIDD, Circuit Judges.

BY THE COURT:

Jason Green is an Alabama prisoner seeking a certificate of appealability (“COA”) on appeal from the district court’s order denying his 28 U.S.C. § 2254 petition. He now moves this Court for reconsideration of its July 16, 2026, order denying a COA and leave to file a COA motion with excess words. After careful

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review, Green's motion for reconsideration is **DENIED**, as he has offered no new evidence or arguments of merits to warrant relief.