

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

SAM AUTRY FLETCHER - Applicant;

VS..

BOBBY LUMPKIN, Director, Texas Department
Of Criminal Justice, Correctional
Institutions Division - Respondent;

APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI

COMES NOW the Applicant, I, Sam Autry Fletcher, pro se, pursuant to Title 28 U.S.C. § 2101(c) and Supreme Court Rules 135, 22 and 30, and most humbly and respectfully submits this application to the U.S. Supreme Court Justice allotted to the Fifth Circuit under Title 28 U.S.C. § 42. I am requesting to, please, be granted a Thirty (30) Day extension of time in which to file my petition for writ of certiorari. In support of my request, I state and show the following:

I. JURISDICTION

The date on which the United States Court of Appeals for the Fifth Circuit decided my case was July 15, 2024.

I filed a timely motion for extension of time to file a petition for panel rehearing with suggestion for rehearing en banc. The Court of Appeals, however, denied my motion for extension of time on August 5, 2024.

No petition for rehearing was filed in this case.



The Jurisdiction of This Honorable Court is invoked under
Title 28 U.S.C. § 1254 (1).

II. GOOD CAUSE

Though applications for extensions of time to file petitions for writ of certiorari are not favored, an applicant may still obtain an extension if he shows good cause as to why the Justice should grant it. See Title 28 U.S.C. § 2101 (c); Supreme Court Rule 13.5; Penry v. Texas, 515 U.S. 1304, 116 S.Ct. 2, 132 L.Ed.2d 887 (1995); Kleem v. INS., 479 U.S. 1308, 107 S.Ct. 484, 93 L.Ed.2d 566 (1986).

I hereby aver that good cause exists to justify and warrant the granting of this application and, for the reasons stated below, implore the Justice here to, please, GRANT me a Thirty (30) Day extension in which to file my petition for writ of certiorari.

1. This is my first—and only—request for an extension of time to file my petition for writ of certiorari.
2. I am a United States Citizen with no formal training in the field of law, proceeding pro se from the confines of a Texas prison facility and, as such, suffer from a severe disadvantage.
3. I need additional time to prepare and file my petition for writ of certiorari because the legal issues to be addressed are—to an untrained, pro se litigant—numerous, complex in nature, and require extensive research and drafting skills.
4. I have tangible exhibitory evidence (i.e. audio recordings; photographs; and documents), in the possession of supporters, and additional time is needed in order for my supporters and I to effectively coordinate our efforts to deliver my petition for writ of certiorari and the supporting exhibitory evidence together to This Court for consideration.

5. I suffer from partial paralysis of my dominant, right—writing—hand and cannot write or type as fast or fluently as that of the average, unafflicted persons.
6. I am presenting serious issues of public concern and interest, supported by facts and digital evidence, regarding a citizen's use of modern technology in capturing specific interaction between citizens and attorneys or law enforcement, judicial, political or other governmental personnel;
7. I file this motion well in advance of the latest time frame for doing so.
8. I file this motion in Good Faith, and not for the cause of any unnecessary delay or other dilatory reason. The Respondent will not suffer any form of prejudice from the requested extension.

CONCLUSION AND PRAYER

Considering all facts stated above, I most humbly and respectfully MOVE the Honorable Justice of This Honorable Court to GRANT this application and issue an ORDER extending my time to file a petition for writ of certiorari for an additional Thirty (30) Days.

Respectfully submitted this 28th day of August, 2024.



Sam Autry Fletcher, Applicant; Pro Se
TDCJ-CID # 02038766
McConnell Unit
3001 S. Emily Dr.
Beeville, Texas 78102

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on this 28th day of August, 2024, I served a true and correct copy of this, the foregoing Application For Extension Of Time To File Petition For Writ Of Certiorari upon: The Clerk of The Supreme Court Of The United States, 1 First Street N.E., Washington, D.C. 20543; and Ken Paxton, Attorney for Respondent (Bobby Lumpkin), P.O.Box 12548, Capital Station, Austin, Texas 78711-2548, via First-Class U.S. Mail, Postage Prepaid, Certified Mail// Return Receipts affixed thereto, by placing the same within the internal mailing system for inmates at the TDCJ-CID William G. McConnell Unit, and it shall be deemed filed as of the above date.

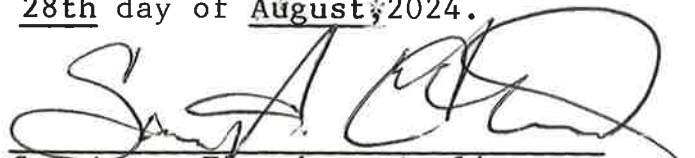


Sam Autry Fletcher, Applicant/Pro Se
TDCJ-CID #02038766
3001 S. Emily DR.
Beeville, Texas 78102

VERIFICATION

As required by law, I, the undersigned, make this declaration. I hereby declare, under the penalty of perjury; Title 28 U.S.C. § 1746, that the foregoing certificate of service is true and correct.

Respectfully submitted this 28th day of August, 2024.



Sam Autry Fletcher, Applicant
TDCJ-CID # 02038766
3001 S. Emily Dr.
Beeville, Texas 78102

**United States Court of Appeals
for the Fifth Circuit**

No. 23-20546

United States Court of Appeals
Fifth Circuit

FILED

July 15, 2024

Lyle W. Cayce
Clerk

SAM AUTRY FLETCHER,

Plaintiff—Appellant,

versus

BOBBY LUMPKIN, *Director, Texas Department of Criminal Justice,
Correctional Institutions Division,*

Defendant—Appellee.

Application for Certificate of Appealability
the United States District Court
for the Southern District of Texas
USDC No. 4:21-CV-1867

UNPUBLISHED ORDER

Before STEWART, GRAVES, and OLDHAM, *Circuit Judges.*

PER CURIAM:

Sam Autry Fletcher, Texas prisoner # 0203766, moves this court for a certificate of appealability (COA) to challenge the district court's denial of his 28 U.S.C. § 2254 application. Fletcher filed the application to challenge his 55-year sentence for aggravated robbery with a deadly weapon. Fletcher contends that he was denied his right to counsel during police interrogation,

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there was insufficient evidence connecting him to the aggravated robbery, the prosecutor breached an oral dismissal agreement, the prosecutor withheld exculpatory evidence, and he was denied effective assistance of counsel at trial and on appeal.

To obtain a COA, Fletcher must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Where a district court has rejected a claim on the merits, a movant “must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” *Slack*, 529 U.S. at 484.

Fletcher has not made the requisite showing. *See id.* Accordingly, his request for a COA is DENIED. Because Fletcher fails to make the necessary showing for the issuance of a COA, we do not reach the questions whether the district court erred in denying discovery and an evidentiary hearing. *See United States v. Davis*, 971 F.3d 524, 534 (5th Cir. 2020). Lastly, Fletcher’s motion to compel is also DENIED.