

In The United States Supreme
Court

No. 24-10629

TEINIDAS ALVARADO

Petitioner - Appellant,

versus

Bobby Lunsford, Director, Texas Dept. of Criminal
Justice, Correctional Institutions Division

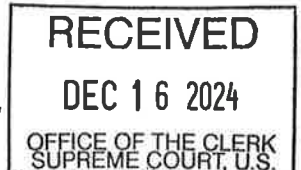
Motion For Extension Of Time To
File Writ For Certiorari

Comes now Teinidas Alvarado, Appellant
pro se' pursuant to USCS Supreme Court Rule
30, and moves this court to grant him an
extension of time to file his Writ For Certiorari.

In support of this motion, Appellant
alleges and states as follows:

1.) A timely notice for Certificate of Appealability
was filed in the Fifth Circuit Court of Appeals
on July 18, 2024.

2.) The time period which is sought to be
extended is the filing deadline of 90 days,



which was set for Dec 18, 2024.

Appellant is requesting an extension for the 18th day of April, 2025, which is a business day.

3) The reasons for the extension of time are;

1. Lots of government offices are closed before or after the holidays making them 4 day weekends.
2. The Joe Ney State Jail where Appellant is housed does not have a law library, we have indirect access to the Torres Unit which is next door, which take request anywhere from 3 to 4 days to be answered.

Wherefore, for the above reasons, hardship to the Appellant as pro se' counsel will result, unless an extension of time to the 18th day of April, 2025, is granted.

Respectfully submitted this 1st day of December, 2024.

Trinidad Alvarado
Appellant pro se'

Verification

I the undersigned, do hereby swear under penalty for perjury that the following statements are true and correct;

J. Alvarado
Affiant, Appellant Pro Se'

TRINIDAD ALVARADO
T. D. C. S. No. 2290176
Joe Ney State Jail
114 Private Road 4303
Hondo, Tx. 78861

United States Court of Appeals
for the Fifth Circuit

No. 24-10629

United States Court of Appeals
Fifth Circuit

FILED

October 16, 2024

Lyle W. Cayce
Clerk

TRINIDAD ALVARADO,

Petitioner—Appellant,

versus

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

Respondent—Appellee.

Application for Certificate of Appealability
the United States District Court
for the Northern District of Texas
USDC No. 4:23-CV-1018

ORDER:

Trinidad Alvarado, Texas prisoner # 02290176, moves this court for a certificate of appealability (COA) to challenge the district court's denial of his 28 U.S.C. § 2254 application. Alvarado filed the application to challenge his 40-year sentence for possession of four or more grams but less than 200 grams of methamphetamine. In his COA brief, Alvarado raises an illegal search and seizure claim pursuant to the Fourth Amendment. Alvarado further raises claims alleging that the trial court erred in admitting a coerced,

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incriminating statement and denied him a fair trial when ruling on his motion to suppress evidence.

This court may not grant Alvarado a COA unless he makes “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. When the district court’s denial of relief is based on procedural grounds, a COA may not issue unless the prisoner shows that “jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Id.*

Alvarado has not made the requisite showing. *See id.* Alvarado abandons his ineffective assistance of counsel claims by failing to raise the claims in his COA motion before this court. *See Hughes v. Johnson*, 191 F.3d 607, 613 (5th Cir. 1999). Accordingly, his request for a COA is DENIED.


EDITH H. JONES
United States Circuit Judge