

No.

---

In the  
**Supreme Court of the United States**

---

ZACKERY TERRELL,

PETITIONER,

v.

STATE OF TEXAS,

RESPONDENT.

---

**On Petition for a Writ of Certiorari to the  
State of Texas Court of Criminal Appeals**

---

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

---

Robert L. Sirianni, Jr., Esquire  
*Counsel of Record*  
BROWNSTONE, P.A.  
P.O. Box 2047  
Winter Park, FL 32790  
robertsirianni@brownstonelaw.com  
(o) 407-388-1900  
(f) 407-622-1511  
*Counsel for Petitioner*

**To The Honorable Justices of the Supreme Court of the United States**

Pursuant to Rule 30.3 of this Court, Petitioner respectfully requests a 60-day extension of time, to and including March 23, 2025, within which to file a Petition for Writ of Certiorari to review the judgment of the Texas Court of Criminal Appeals. Absent an extension, Petitioner's petition would be due 90-days from the Final Judgment from the Texas Court of Criminal Appeals, which is January 23, 2025.

**Basis for Jurisdiction in the Supreme Court**

This Court has jurisdiction to grant an application for a writ of certiorari in this case pursuant to Art. III, Sec. 2, Clause 2, as Petitioner seeks review of the judgment of the Texas Court of Criminal Appeals.

**Opinion and Order**

On September 18, 2024, the Texas Court of Criminal Appeals denied postconviction relief without written order. Then on September 26, 2024, Petitioner filed a Motion for Reconsideration, which was denied on October 25, 2024. *In re Zackery Terrell*, Case No. WR-81, 721-02.

**Judgment Sought to be Reviewed**

The Court's review is warranted to resolve significant issues of law on which the decision below departs from this Court's precedents. Petitioner filed a Petition for Writ of Habeas Corpus pursuant to Tex. Code. Crim. Pro. 11.07. Petitioner seeks review over the judgment on September 18, 2024, and the denial on October 25, 2024.

The state court's decision raises significant constitutional questions such as: whether the misinformation regarding plea bargains rises to ineffective assistance of

counsel; Second, whether a defendant's right to counsel is implicated when counsel fails to appeal sufficiency of the evidence in a direct appeal; Third, whether Defendant's eighth amendment rights are violated when the sentence is outside the guideline range, without just cause.

### **Reasons for Extension of Time**

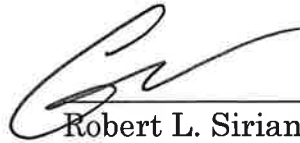
The additional time is warranted due to significant professional obligations in pending appellate matters and the need to consult and obtain documentary evidence. The legal issues in the case require coordination between counsel and Petitioner. Currently, Petitioner is incarcerated in A. M. "Mac" Stringfellow Unit, 1200 FM 655, Rosharon, TX 77583. This process is lengthened by the custody status of Petitioner, where arranging legal calls has proven to be a cumbersome and lengthy process.

Petitioner believes an extension will result in no prejudice to Respondent.

## CONCLUSION

Petitioner's request is intended to ensure that Petitioner and counsel have adequate opportunity to discuss the merits of their claim, retrieve and review all appellate documents, and provide complete and effective assistance of counsel.

Respectfully submitted,



---

Robert L. Sirianni, Jr., Esquire  
Counsel of Record  
BROWNSTONE, P.A.  
P.O. Box 2047  
Winter Park, Florida 32790-2047  
(o) 407-388-1900  
(f) 407-622-1511  
robertsirianni@brownstonelaw.com  
*Counsel for Petitioner*

Dated: December 16, 2024.

## CERTIFICATE OF SERVICE

I, Robert L. Sirianni, Jr., hereby certify that an original and 2 copies of the foregoing Application for Extension of Time for the matter of *Zackery Terrell. v. State of Texas*, were sent via Next Day Service to the U.S. Supreme Court, and 1 copy was sent Next Day Service and email to the following parties listed below, this 16<sup>th</sup> day December.

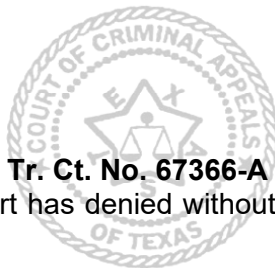
Brittany Lacayo, Assistant Public Defender  
1310 Prairie Street, 4<sup>th</sup> Floor  
Houston, TX 77002  
Tel: 713-274-6700



---

Robert L. Sirianni, Jr., Esquire

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS **FILE COPY**  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711



**9/18/2024**

**TERRELL, ZACKERY**

**Tr. Ct. No. 67366-A**

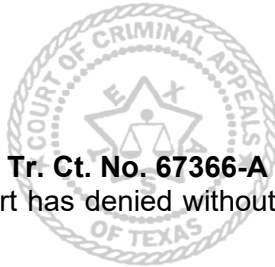
**WR-81,721-02**

This is to advise that the Court has denied without written order the application for writ of habeas corpus.

Deana Williamson, Clerk

DISTRICT CLERK BRAZORIA COUNTY  
111 E. LOCUST SUITE 500  
ANGLETON, TX 77515-4678  
\* DELIVERED VIA E-MAIL \*

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS **FILE COPY**  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711



**9/18/2024**

**TERRELL, ZACKERY**

**Tr. Ct. No. 67366-A**

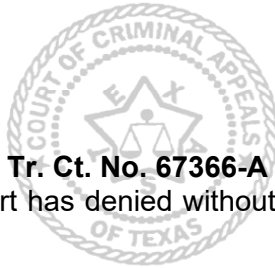
**WR-81,721-02**

This is to advise that the Court has denied without written order the application for writ of habeas corpus.

Deana Williamson, Clerk

DISTRICT ATTORNEY BRAZORIA COUNTY  
111 E. LOCUST, RM 408A  
ANGLETON, TX 77515  
\* DELIVERED VIA E-MAIL \*

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS **FILE COPY**  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711



**9/18/2024**

**TERRELL, ZACKERY**

**Tr. Ct. No. 67366-A**

**WR-81,721-02**

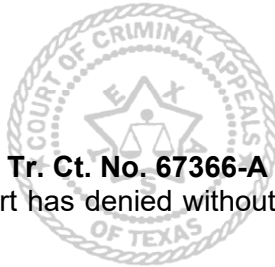
This is to advise that the Court has denied without written order the application for writ of habeas corpus.

Deana Williamson, Clerk

ZACKERY TERRELL  
STRINGFELLOW UNIT - TDC # 1850162  
1200 FM 655  
ROSHARON, TX 77583



OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS **FILE COPY**  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711



**9/18/2024**

**TERRELL, ZACKERY**

**Tr. Ct. No. 67366-A**

**WR-81,721-02**

This is to advise that the Court has denied without written order the application for writ of habeas corpus.

Deana Williamson, Clerk

BRITTANY LACAYO  
ASSISTANT PUBLIC DEFENDER  
1310 PRAIRIE 4TH FLOOR  
HOUSTON, TX 77002  
\* DELIVERED VIA E-MAIL \*

OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS **FILE COPY**  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

**10/25/2024**

**TERRELL, ZACKERY**

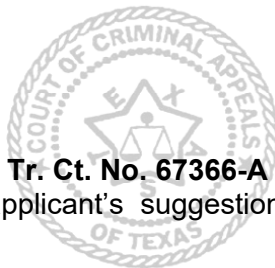
**Tr. Ct. No. 67366-A**

**WR-81,721-02**

This is to advise that the applicant's suggestion for reconsideration has been denied without written order.

Deana Williamson, Clerk

ZACKERY TERRELL  
STRINGFELLOW UNIT - TDC # 1850162  
1200 FM 655  
ROSHARON, TX 77583



OFFICIAL NOTICE FROM COURT OF CRIMINAL APPEALS OF TEXAS **FILE COPY**  
P.O. BOX 12308, CAPITOL STATION, AUSTIN, TEXAS 78711

**10/25/2024**

**TERRELL, ZACKERY**

**Tr. Ct. No. 67366-A**

**WR-81,721-02**

This is to advise that the applicant's suggestion for reconsideration has been denied without written order.

Deana Williamson, Clerk

BRITTANY LACAYO  
ASSISTANT PUBLIC DEFENDER  
1310 PRAIRIE 4TH FLOOR  
HOUSTON, TX 77002  
\* DELIVERED VIA E-MAIL \*

