

NO. _____ (CAPITAL CASE)

IN THE SUPREME COURT OF THE UNITED STATES

CEDRIC RICKS,

Petitioner,

vs.

ERIC GUERRERO, Director, Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

**On Petition for a Writ of Certiorari to
the United States Court of Criminal Appeals for the Fifth Circuit**

**APPLICATION FOR A 30-DAY EXTENSION OF TIME TO FILE A PETITION FOR
A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE FIFTH CIRCUIT**

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**APPLICATION FOR A 30-DAY EXTENSION OF TIME TO FILE A PETITION FOR
A WRIT OF CERTIORARI TO UNITED STATES COURT OF APPEALS FOR THE
FIFTH CIRCUIT**

To the Honorable Samuel Alito, Associate Justice, and Circuit Justice for the United States Court of Appeals for the Fifth Circuit:

1. This is a federal habeas corpus proceeding. On December 16, 2024, the United States Court of Appeals for the Fifth Circuit denied Cedric Ricks's Petition for Rehearing en banc from the denial of his Motion for Certificate of Appealability (attached as Exhibit 1).

2. This Court has jurisdiction pursuant to 28 U.S.C. § 1254(1).

3. At present, Mr. Ricks has until March 17, 2025, to file a petition for a writ of certiorari seeking review of the Fifth Circuit's decision. *See* Sup. Ct. R. 13.1, 13.3.

4. Under Rule 13.5 and Rule 30.3, this Court may extend the time for seeking certiorari for up to sixty (60) additional days. Mr. Ricks requests an extension of thirty (30) days under the circumstances, up to and including April 16, 2025, to file his petition.

5. Counsel for the Respondent does not oppose the requested extension of time.

6. The issues to be presented in Mr. Ricks's capital case are significant, including numerous Fifth, Sixth, and Fourteenth Amendment violations .

7. Undersigned counsel is the supervisor of the Capital Habeas Unit (CHU) of the Office of the Federal Public Defender, Northern District of Texas. As supervisor of the CHU, Mr. Schepers both provides direct representation and supervises the work of the CHU staff, including its attorneys. Several of his cases, including capital cases in federal habeas corpus proceedings in the Fifth Circuit Court of Appeals and related proceedings, have been active in recent months and have required a significant amount of time. In particular, Mr. Schepers represents David Wood, who is currently scheduled to be executed on March 13, 2025. *See Wood v. Patton*, No. 1:24-cv-1058 (W.D. Tex) (execution scheduled for March 13, 2025).

Naomi Fenwick also represents David Wood in his capital habeas proceedings. Kathryn Hutchinson is counsel in *Delacruz v. Guerrero*, No. 6:24-cv-00013-H (N.D. Tex), in which she must file an initial federal habeas petition by March 26, 2025. Consequently, additional time is needed to prepare the petition for writ of certiorari in Mr. Ricks's case.

CONCLUSION

For the foregoing reasons, the application for extension of time should be granted, extending the time to file a petition for writ of certiorari for 30 days, until April 16, 2025.

Respectfully submitted,

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EXHIBIT 1

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

December 16, 2024

Lyle W. Cayce
Clerk

No. 23-70008

CEDRIC ALLEN RICKS,

Petitioner—Appellant,

versus

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

Respondent—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:20-CV-1299

ON PETITION FOR REHEARING EN BANC

Before JONES, HIGGINSON, and HO, *Circuit Judges.*

PER CURIAM:

Treating the petition for rehearing en banc as a petition for panel rehearing (5TH CIR. R. 35 I.O.P.), the petition for panel rehearing is DENIED. Because no member of the panel or judge in regular active service requested that the court be polled on rehearing en banc (FED. R. APP. P. 35 and 5TH CIR. R. 35), the petition for rehearing en banc is DENIED.