TRIAL CAUSE NO. CR-2011-195

APPEAL CASE NO. 03-12-00462-CR

PDR NO. PD-0975-14

RECEIVED
DEC 29 2014
THIRD COURT OF APPEALS
JEFFREY D. KYLE

granted to 9-15 only 1' PC 12-18-14

JOEL DAVID JAMES

V.

THE STATE OF TEXAS

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR REHEARING FOR PETITION FOR DISCRETIONARY REVIEW

FILED IN
COURT OF CRIMINAL APPEALS
DEC 30 2014
Abel Acosta, Clerk

TO THE HONORABLE COURT:

Now comes JOEL DAVID JAMES, PRO SE Appellant, in the above entitled and numbered case and moves the Court for an extension of time to file a motion for rehearing, and through this motion would show:

I.

The Honorable Court of Criminal Appeals of Texas, "refused" appellant's Petition for Discretionary Review dated December 10, 2014 with no reason given. Appellant did not receive this notice until December 18, 2014 from the unit Mail Room, via Legal Mail Notification. With the abbreviated holiday schedule this week and next, it only allows 2 business days to prepare and post this extremely important piece of litigation.

RECEIVED IN
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II.

The Appellant would ask for an additional 30 days due to the previously mentioned chaotic holiday schedule and profound importance of the Review in question. Access to the Law Library on the high-risk (Allen B. Polunsky - Death Row Unit) where the appellant is incarcerated, is regularly limited by security "lock-downs" as well as unplanned "special rack-ups" which appellant has no control. Furthermore, the shepherdizing at the Law Library is immensely inadequate.

III.

The Appellant would ask the Court to grant this motion to allow him an extension of time to file his motion for rehearing. WHEREFORE PREMISE Considered, the appellant would pray that the Honorable Court grant this motion, with a new deadline for Motion for Rehearing of January 23, 2015.

Respectfully Submitted,

JOEL D. JAMES, PRO SE Appellant
TDCJ-I.D. # 1798223

Certificate of Service

I certify that a true and correct copy of the above entitled Motion for Extension of Time to file a Motion for Rehearing for Petition for Discretionary Review, has been forwarded, by U.S. Mail, postage paid, first class, to the Attorney for the State, Comal County Assistant District Attorney Samuel Katz, 150 N. Seguin Ave. Suite 307, New Braunfels, Texas, 78130 and the State Prosecuting Attorney, P.O. Box 12405 Capitol Station, Austin, Texas, 78711, on this 22nd day of December, 2014.

Joel David James, TDCJ#1798223
PRO SE Petitioner

Unsworn Declaration

I, Joel David James, TDCJ-I.D.# 1798223, being presently incarcerated in the Allen B. Polunsky Unit of the Texas Department of Criminal Justice in Livingston, Polk County, Texas, verify and declare under penalty of perjury that the foregoing statements are true and correct. Executed on this 22nd day of December, 2014.

Respectfully Submitted,

Joel David James, TDCJ#1798223
PRO SE Petitioner
Polunsky Unit
3872 FM 350 South
Livingston, TX 77351

end
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