NO. 1651-15

RECEIVED IN
COURT OF CRIMINAL APPEALS

DEC 2 8 2015

Abel Acosta, Clerk

FREDERICK MANUEL
V.
THE STATE OF TEXAS

IN THE COURT OF CRIMINAL
APPEALS
AUSTIN, TEXAS

MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL APPEALS:

COMES NOW, FREDERICK MANUEL, PETITIONER, AND FILES THIS MOTION FOR AN EXTENSION OF SIXTY (60) DAYS IN WHICH TO FILE A PETITION FOR DISCRETIONARY REVIEW. IN SUPPORT OF THIS MOTION, APPELLANT SHOW'S THE COURT THE FOLLOWING:

I.

THE PETITIONER WAS CONVICTED IN THE 331 RST, DISTRICT COURT OF TRAVIS, TEXAS OF THE OFFENSE OF CAPITAL MURDER IN CAUSE NO. 01-14-00107-CR, STYLED STATE OF TEXAS VS. FREDERICK MANUEL. THE PETITIONER APPEALED TO THE COURT OF APPEALS FIRST SUPREME JUDICIAL DISTRICT. THE CAUSE WAS AFFIRMED ON DECEMBER 5, 2013.

II.

THE PRESENT DEADLINE FOR FILING THE PETITION FOR DISCRETIONARY REVIEW IS DECEMBER 5, 2015. THE PETITIONER HAS NOT REQUESTED ANY EXTENSION PRIOR TO THIS REQUEST.

III.

PETITIONER'S REQUEST FOR AN EXTENSION IS BASED UPON THE FOLLOWING FACTS: PETITIONER WAS NOT INFORMED OF THE DECISION OF THE COURT OF APPEALS IN AFFIRMING HIS CASE UNIT NOVEMBER 16, 2015. A MOTION FOR REHEARING WAS FILED AND DENIED ON DECEMBER 8, 2015. WHICH WOULD MEAN THE DEADLINE DATE IS JANUARY 8, 2016 PETITIONER IS INDIGENT AND UNABLE TO RETAIN COUNSEL. THEREFORE, WILL BE PROCEEDING "PRO SE"

IV.

GOOD-FAITH REQUEST

PETITIONER MAKES THIS REQUEST IN THE INTEREST OF JUSTICE, AND BASED ON THE TIME FRAME [HE] HAS ACCESS TO THE POLUNSKY UNIT LAW LIBRARY, WHICH IS TWO (2) HOURS PER DAY 5 DAYS PER WEEK. ATTENDANCE PROCESS IS SENDING A TDCJ-ID "I-60" REQUEST FORM, WHICH ALLOWS ACCESS 1 TO 2 DAYS AFTER SENDING THE "I-60" REQUEST FORM.

THIS REQUEST IS NOT DONE TO DELAY THE FINDLIZATION OF THE APPELLATE PROCEEDINGS, NOR REQUESTED TO HARASS ANY PARTY TO THIS APPELLATE PROCESS.

PETITIONER REQUEST A SIXTY (60) DAY EXTENSION, WHICH WOULD EXTEND THE DEADLINE DATE TO MARCH 4, 2016.

PRAYER

WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAY HE BE GRANTED A SIXTY (60) DAY EXTENSION THAT EXTENDS TO ON OR ABOUT MARCH 4, 2016.

RESPECTFULLY
Frederick Manuel

FREDERICK MANUEL
TDCJ-ID: 1901942
POLUNSKY UNIT
3872 FM 350 SOUTH
LIVINGSTON, TX 77351

DECLARATION

I, FREDERICK MANUEL, DO DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING STATED INFORMATION IS TRUE AND CORRECT.

EXECUTED THIS 18 DAY OF DECEMBER, 2015

Frederick Manuel

CERTIFICATE OF SERVICE

I CERTIFY THAT A TRUE AND CORRECT COPY OF THE FORGOING MOTION / PLENDING WAS SENT BY PLACING IN THE U.S. POSTAL MAIL BOX OF THE POLUNSKY UNIT IN LIVINGSTON, TEXAS; ADDRESS TO:

D.A.'S OFFICE,
TRAVIS COUNTY DISTRICT
ATTORNEY'S OFFICE
P.O. BOX 1748
AUSTIN, TEXAS 78767-1748

COURT OF CRIMINAL APPEALS CLERK
P.O. BOX 12308; CAPITOL STATION
AUSTIN, TEXAS 78711

EXECUTED ON THIS THE 18, DAY OF DECEMBER, 2015

Frederick Manuel

FREDERICK MANUEL
TDCJ-ID: 1901942
3872 FM 350 SOUTH
LIVINGSTON, TX 77351

IN THE COURT OF CRIMINAL APPEALS
OF TEXAS

FREDERICK MANUEL
V.
THE STATE OF TEXAS NO. _____

MOTION TO SUSPEND RULE 9.3 (B)

TO THE HONORABLE COURT OF CRIMINAL APPEALS OF TEXAS:

NOW COMES, FREDERICK MANUEL, PRO SE, APPELLANT IN THIS ACTION MOVES THIS COURT TO GRANT THIS MOTION TO SUSPEND TEXAS RULE OF APPELLANT PROCEDURE RULE 9.3 (B) TO ALLOW HIM TO SEND THE ORIGINAL COPY OF HIS PETITION FOR DISCRETIONARY REVIEW (PDR) "ONLY" AS OPPOSED TO THE (11)-COPY'S. AND IN SUPPORT OF THIS MOTION, APPELLANT PRESENT'S THE FOLLOWING SUPPORT THEREOF:

I.

APPELLANT IS SEEKING TO FILE A (PDR) CHALLENGING A DECISION FROM THE FIRST COURT OF APPEALS, CAUSE NO. 01-14-00107-CR,

II.

APPELLANT IS INCARCERATED, AND HAS NO ACCESS TO A COPY MACHINE, AND DO NOT HAVE ANY WAY OF MAKING ELEVEN COPIES.

WHEREFORE PRIMISES CONSIDERED, APPELLANT PRAY THAT THE HONORABLE COURT GRANT THIS FOREGOING MOTION, ALLOWING HIM TO SEND ONLY ONE COPY OF HIS (PDR) AS OPPOSSED TO ELEVEN.

RESPECTFULLY
Frederick Manuel
FREDERICK MANUEL
TDCJ-ID: 1901942
3872 FM 350 SOUTH
LIVINGSTON, TX 77351

CERTIFICATE OF SERVICE

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TRAVIS COUNTY DISTRICT
ATTORNEY'S OFFICE
P.O. BOX 1748
AUSTIN, TEXAS 78767-1748

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