

In The
Supreme Court of the United States

RICHARD BEASLEY,

Petitioner,

v.

STATE OF OHIO,

Respondent

(CAPITAL CASE)

Application for an Extension of Time
to File a Petition for a Writ of Certiorari

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July 27, 2018

To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States. Pursuant to this Court's Rules 13.5, 22, and 30.3, Defendant-Appellant, by and through, appellate counsel Donald Gallick, seeks an additional 30 days to file a writ of certiorari to this Honorable Court in the criminal case, resulting in a sentence of death.

In *State v. Beasley*, 2018-Ohio-493, the Supreme Court of Ohio affirmed the convictions and death sentence. A timely motion for reconsideration was denied on May 9, 2018.

In support of this application, counsel for Richard Beasley asserts the following reasons for this request:

1. Counsel is currently the sole lawyer operating within a one person Limited Liability Company, The Law Office of Donald Gallick, LLC in Akron, Ohio.

2. Counsel is currently handling multiple criminal and civil appeals throughout the State of Ohio and in multiple state appellate courts.
3. Counsel's client, Richard Beasley, is currently on death row at the Chillicothe Correctional Institution in Chillicothe, Ohio.
4. Chillicothe, Ohio is approximately three hours away from counsel's office, meaning that every time counsel meets with his client, it is approximately seven hours of time for round trip transportation.
5. Counsel intends to file for a writ of certiorari seeking review of a merit decision affirming a death sentence and also the denial of a motion for reconsideration from the Supreme Court of Ohio on a capital case where one of the jurists on the Supreme Court of Ohio was the son of the elected Attorney General of Ohio which was the office who served as counsel for appellee.

6. The Supreme Court of Ohio denied Applicant's motion for reconsideration on May 9, 2018, meaning that writ of certiorari to this Court is currently due on or before August 9, 2018.

7. Counsel for appellant Richard Beasley needs additional time to conduct legal research with purpose of seeking certiorari regarding, inter alia, conflicts of interest between jurists and counsel who are family members and this Court's holding in *Williams v. Pennsylvania*.

WHEREFORE, due to the reasons proffered before Your Honor, Applicant respectfully seeks the granting of this Application and to extend the deadline to file a petition for a writ of certiorari until September 10, 2018.

Respectfully submitted,

THE LAW OFFICE OF DONALD GALLICK, LLC

/s/ Donald Gallick

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this Application to Extend Time to File a Writ of Certiorari and Supporting Affidavit was sent by regular US mail Summit County Prosecutor Sherri Bevan Walsh, Esq. and Assistant Prosecutor Heaven DiMartino, Esq. Counsel for Plaintiff-Appellee, at 53 University Avenue, Akron, Ohio 44308 and Thomas Madden, Assistant Attorney General for the State of Ohio at 150 East Gay Street, Columbus, Ohio 43215 on this twenty-seventh day of July, 2018.

/s/ Donald Gallick

DONALD GALLICK (#0073421)

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**DECLARATION OF DONALD GALLICK IN
SUPPORT OF APPLICATION FOR AN
EXTENSION OF TIME TO FILE A WRIT
OF CERTORARI**

I, Donald Gallick, declare as follows:

1. I am an attorney licensed by the Supreme Court of Ohio.
2. I am currently the sole attorney working on a writ of certiorari petition on behalf of my client, Richard Beasley, who faces a sentence of death.
3. My client sits on death row in Chillicothe, Ohio which is approximately two hours and forty-five minutes from my office in Akron, Ohio.
4. I argued the direct appeal of State v. Beasley before the Supreme Court of Ohio and drafted and filed the motion for reconsideration.

5. I have a good-faith belief that Richard Beasley's Constitutional rights are at issue in this direct appeal and that there is a legitimate due process concern where a sitting justice of the Supreme Court of Ohio is the son of the elected Attorney General of Ohio, which is the office which served as counsel for appellee in that direct appeal.
6. I am seeking this application for additional time to properly protect my client's Constitutional rights and to afford sufficient time to proffer a fully-researched petition for a writ of certiorari in this capital case.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that these statement are true and correct.

July 27, 2018

/s/ Donald Gallick

Donald Gallick