

No. 18A-_____

IN THE
SUPREME COURT OF THE UNITED STATES

No. 18-

JOHNATHAN MASTERS

Petitioner,

v.

COMMONWEALTH OF KENTUCKY

Respondent.

**APPLICATION TO THE HONORABLE JUSTICE SONIA SOTOMAYOR
FOR EXTENSION OF TIME TO FILE A PETITION
FOR A WRIT OF CERTIORARI TO THE KENTUCKY SUPREME COURT**

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To the Honorable Justice Sonia Sotomayor, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Sixth Circuit.

Petitioner, Johnathan Masters, by undersigned counsel, pursuant to Supreme Court Rules 13.5 and 30.2, respectfully requests that this Court grant him a sixty (60) day extension to file a Petition for a Writ of Certiorari from the Kentucky Supreme Court, up to and including January 5, 2019.

On August 8, 2018, the Kentucky Supreme Court denied Petitioner’s Motion for Discretionary Review. A copy of the order is attached. The Kentucky Court of Appeals decision the

Kentucky Supreme Court declined to review was rendered October 27, 2017. Copy of the Opinion is attached. A petition for a writ of certiorari is due to be filed in this Court on or before November 6, 2018.

This Court has jurisdiction under 28 U.S.C. §1257.

This petition for a writ of certiorari will ask this Court to address a substantive area of First Amendment law that significantly impacts students, parents, and citizens. The petition will ask this Court to find a criminal statute unconstitutional as it is vague, overbroad, and criminalizes protected speech solely based on how a person who hears the speech could interpret that speech.

Supreme Court Rule 13.5 permits a Justice of this Court “for good cause” to extend the time to file a petition for a writ of certiorari for a period not exceeding sixty (60) days. Rule 30.2. This request for an extension of time is being filed electronically and overnighted to this Court more than ten days before the petition is due, and, as explained below, good cause exists.

Undersigned counsel of record represents several direct appeals clients in Kentucky appellate courts. Counsel is diligently working on this petition. Counsel also is aware of another party interested in filing an amicus brief before this Court.

For the reasons expressed above, Petitioner respectfully requests that this Court grant him a sixty (60) extension to file a petition for a writ of certiorari - - to and including January 5, 2019.

Respectfully submitted,

/s/John Gerhart Landon

*John Gerhart Landon

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***COUNSEL OF RECORD**

October 26, 2018.