

No. _____

THE SUPREME COURT OF THE UNITED STATES

TERRY LEE COFFMAN,

Petitioner-Defendant,

v.

STATE OF IOWA,

Respondent.

**APPLICATION TO EXTEND TIME TO
FILE A PETITION FOR WRIT OF CERTIORARI**

Terry Coffman's Application to Justice Neil M. Gorsuch, for the United State Court of Appeals for the Eight Circuit to Extend the Time to File a Petition for Writ of Certiorari to the United States Supreme Court from an Opinion by the Iowa Supreme Court.

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To the Honorable Neil M. Gorsuch, as Circuit Justice for the United States Court of Appeals for the Fourth Circuit:

Terry Lee Coffman respectfully requests a thirty-five (35) day extension of the time to file his petition for writ of certiorari. This request, if granted, would extend the current deadline from September 20, 2018, to and including October 25, 2018. Mr. Coffman will be seeking review from this Court of an opinion entered by the Iowa Supreme Court issued on June 22, 2018, (App. A) which denied relief by way of a motion to suppress in which Mr. Coffman alleged a violation of his rights under the Fourth Amendment of the United States Constitution. The Court's jurisdiction to review the Iowa Supreme Court's opinion rests on 28 U.S.C. § 1257(a).

Recognizing that an extension of the time for the filing of a petition for writ of certiorari requires good cause and that requests for extensions are not favored, Mr. Coffman requests this extension of time for the following reasons:

1. This application for extension is being filed more than ten (10) day prior to the due date for his petition and as such this request complies with Supreme Court Rule 30.2.
2. This case includes a matter of important public and legal interest as it provides the Court with an opportunity to address what scope and standards should be applied under the community care taking exception to the Fourth Amendment's warrant requirement in order to effectuate the lawful seizure of a motorist who is legally stopped on the side of the road without any discernable evidence of distress.
3. Although the filing of this petition had been discussed for some time with Mr. Coffman, he was not able to secure sufficient financing for the costs associated with the preparation and filing of this petition and associated appendix until August 27,

2018, and therefore the undersigned has only recently began preparing the appendix and drafting the petition in this matter.

4. On September 6, 2018, the Iowa Supreme Court issued an “Opinion Correction Notice” and an “Amended Opinion” which will require unknown additional time and expense to complete the Appendix in this matter.
5. The undersigned’s wife is set to have surgery on September 15, 2018, and will be on bed rest for roughly three weeks following surgery which will limit the time the undersigned will be able to work on the petition due to the increased time the undersigned will need to devote to caring for my wife and our three (3) children who are ages (3), (1), and (1).
6. The undersigned has a tremendously heavy caseload due to the representation of other clients with various deadlines leading up to the current due date including a brief to the Iowa Supreme Court in an unrelated appeal.
7. The undersigned has contacted opposing counsel who does not resist this request for extension and cited no prejudice if this request was granted.
8. Mr. Coffman is not currently incarcerated, and he would not be subjected to any prejudice if this request for extension was granted.

For the above stated reasons, Mr. Coffman respectfully asks Justice Neil Gorsuch, as Circuit Justice for the Eighth Circuit, to extend the time for Mr. Coffman to file a petition for writ of certiorari. Mr. Coffman requests that the deadline be extended by thirty-five (35) days, thereby extending the new deadline to and including October 25, 2018.

This application is being submitted via electronically and overnight mail on September 7,
2018.

/s/ Matthew T. Lindholm

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