

In the
Supreme Court of the United States

John Franklin Kenney - Petitioner

vs.

P. D. Brazelton, warden - Respondent

Motion,
for EXTENSION OF TIME TO FILE
A PETITION FOR A WRIT OF
CERTIORARI,

&

for APPOINTMENT OF COUNSEL

The Petitioner, John Franklin Kenney, now requests an extension of time to file a Petition for a Writ of Certiorary & for the appointment of counsel to enable him to do so.

(1) The Petitioner's Motion for Reconsideration of his Request for Certificate of Appealability ["C.O.A."] in the United States Court of Appeals for the 9th Circuit was denied on 28 February 2019. (Case no. 18-15077)

(2) The Petitioner received notice of
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that denial at the end of the first week of March 2019.

(3) This Petitioner needs an extension of time, until, preferably no earlier than 28 July 2019.

This Petitioner needs such extension of time, & assistance of counsel, for the following reasons:

(4) This Petitioner is an 84-year old combat veteran of the Korean War presently suffering from P.T.S.D. [Post-traumatic Stress Disorder], macular degeneration, & Parkinson's dementia.

(5) This Petitioner has no legal training & no assistance of a "Best Friend," & almost no legal knowledge.

(6) This Petitioner has been convicted through the knowing use of fake evidence. This prosecutorial misconduct was discovered 5 years after this Petitioner's conviction. He filed timely a Complaint in his petition for habeas corpus, well w/in the 1-year normal limit for newly-discovered evidence.

The A.A.G. filed a "Reply" motion requesting that this Petitioner's Com-

-pleant of fake evidence be dismissed as "untimely" by the A.E.D.P.A. rules, w/out acknowledging that this Petitioner's Complaint was based upon newly-discovered evidence. The A.A.G. did not send to this Petitioner any copy of her "Reply" motion. This Petitioner knew nothing about that "Reply" motion & had no opportunity to answer. (This further example of prosecutorial misconduct is proven by the prison mail logs.)

The District Court granted the A.A.G.'s motion to dismiss this Petitioner's claim of fake evidence w/in 34 days of the A.A.G.'s filing of her Reply motion, - almost the minimum time allowed.

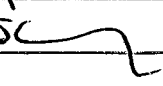
Thus this Petitioner's claim of having been convicted through the knowing use of fake evidence has never been reviewed by any court.

Lacking any legal training or knowledge, this Petitioner has been unable to persuade or oblige either the District Court or the Court of Appeals to acknowledge & review his claims of fake evidence.

This Petitioner needs the assistance of counsel.

Therefore, this Petitioner requests an extension of time to file a Petition for a writ of certiorari until 28 July 2019, & the appointment of counsel.

I affirm that the above is correct & true.
Respectfully submitted,

John Franklin Kenney, J.D.  , B.39748
20 April 2019
Vacaville, California, CA 95687
F3-8141, Box 2000