

No. 19A-\_\_\_\_\_

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**CAPITAL CASE**

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**IN THE SUPREME COURT OF THE UNITED STATES**

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**SCOTT MCLAUGHLIN,**  
*Petitioner,*

**vs.**

**ANNE PRECYTHE,**  
*Respondent.*

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**APPLICATION FOR A SIXTY (60) DAY EXTENSION OF TIME IN  
WHICH TO FILE PETITION FOR A WRIT OF CERTIORARI**

TO: THE HONORABLE NEIL M. GORSUCH, ASSOCIATE JUSTICE OF THE UNITED STATES SUPREME COURT, AND CIRCUIT JUSTICE FOR THE EIGHTH CIRCUIT:

Pursuant to Supreme Court Rule 13.5, Petitioner respectfully requests a sixty (60) day extension of time in which to file his petition for a writ of certiorari in this Court, up to and including November 15, 2019. In support of this application, Petitioner states the following grounds:

1. Petitioner, Scott McLaughlin, is a Missouri prisoner under a sentence of death who intends to seek discretionary review in this Court, pursuant to 28 U.S.C. § 1254 (1), of the judgment denying a certificate of appealability (“COA”) and the

rehearing of that denial. *McLaughlin v. Precythe*, Case No. 18-3628, Entry ID 4779851 (8th Cir. Apr. 22, 2019), *rehearing denied*, Entry ID 4799112 (June 18, 2019). Attached.

2. Pursuant to Rule 13, Petitioner's petition for a writ of certiorari is due on or before September 16, 2019.

3. In this petition, Petitioner intends to advance, among other things, the manner in which the United States Court of Appeals for the Eighth Circuit's considers COAs and whether that Court is in compliance with this Court's authority of *Buck v. Davis*, 137 S.Ct. 759 (2017), and *Miller-El v. Cockrell*, 537 U.S. 322 (2003).

4. Attorney Komp recently filed a capital 2254 in the United States District Court for the Eastern District of Missouri in *McFadden v. Precythe*, Case No. 4:18-cv-1559-AGF. He is also involved in a scheduled execution in Missouri set for October 1, 2019. While Mr. Komp has commenced work on the petition for certiorari, additional time is needed to properly complete the petition.

5. The extension is being filed in good faith and not for purposes of delay.

**WHEREFORE**, for the foregoing reasons, petitioner respectfully requests that Justice Gorsuch, in his capacity as Circuit Justice for the Eighth Circuit, issue an order granting petitioner a sixty (60) day extension of time up to and including November 15, 2019, in which to file his petition for a writ of certiorari.

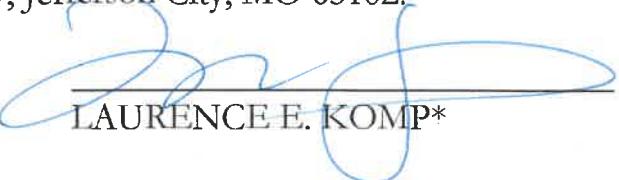
Respectfully Submitted,

  
Laurence E. Komp\*  
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*\*Counsel of Record*

### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed via regular U.S. Mail to Respondent this 27<sup>th</sup> day of August, 2019 to: Ms. Caroline Marie Coulter, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102.

  
LAURENCE E. KOMP\*

*\*Counsel of Record*