

Case No. 19-

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**In The**  
**SUPREME COURT OF THE UNITED STATES**  
**December Term 2019**

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*In the Matter of the Petition of*  
*Applicant/Petitioner:*

*E. R. S.,*

*for the adoption of a child*  
*Child:*

*I. E. H.*  
*and Concerning*  
*Respondent:*

*J. H.*

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**Application for an Extension of Time Within**  
**Which to File a Petition for a Writ of Certiorari to the**  
**Colorado Supreme Court**

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**APPLICATION TO THE HONORABLE JUSTICE**  
**SONIA SOTOMAYOR AS CIRCUIT JUSTICE**

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November 27, 2019

**Attorney for Applicant/Petitioner**

## **APPLICATION FOR AN EXTENSION OF TIME**

Pursuant to Rule 13.5 of the Rules of this Court, Applicant J.H., the mother, hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari, up to and including Friday, February 7, 2020.

## **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

The judgment for which review is sought is Petition of: E.R.S. (attached as Exhibits 1 and 2).

## **JURISDICTION**

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari is due to be filed on or before December 8, 2019. In accordance with Rule 13.5, this application is being filed 10 days in advance of the filing date for the petition for a writ of certiorari.

## **REASONS JUSTIFYING AN EXTENSION OF TIME**

Applicant respectfully requests a 60-day extension of time (until February 7, 2020) within which to file a petition for a writ of certiorari seeking review of the decision of the Colorado courts in this case.

1. The extension of time is necessary because of the press of other client business. Since the denial of the Petition for Writ of Certiorari by the Colorado Supreme Court on September 9, 2019, the undersigned counsel, among other things, has been responsible for drafting a petition for writ of certiorari in *People v. Tresco* (Colorado Supreme Court – filed on Sep. 12, 2019); drafting two reply briefs in *Guy v. Whitsitt* (COA – filed on Sep. 24, 2019) and *People In Interest of A.S.* (COA –filed on Oct. 1, 2019); drafting an opening brief in *Ralston v. Cannon* (10th Cir. – filed on Oct. 3, 2019); preparing for a four-day jury trial in *5411 Leetsdale LLC et al. v.*

*Axelrad et al.* (Denver District Court – the trial was scheduled to start on Nov. 12, 2019 but was continued); and drafting a reply brief in *United States v. Channon* (10th Cir. – due on Nov. 27, 2019).

2. In the coming weeks, the undersigned counsel, among other things, is responsible for drafting a petition for writ of certiorari in *United States v. Carter* (SCOTUS – due on December 9, 2019); drafting a reply brief in *Ralston v. Cannon* (10th Cir. – due on Dec. 17, 2019); two oral arguments in *People In Interest of A.S.* (COA – Dec. 4, 2019) and *In Re Adoption of K.R.M.* (COA – Jan. 15, 2020); and a four-day jury trial in *5411 Leetsdale LLC et al. v. Axelrad et al.* (Denver District Court – scheduled to start on Jan. 27, 2020)

3. A 60-day extension for the Applicant would allow the undersigned counsel the time necessary to effectively contribute to all open matters including Applicant’s petition as well as her other clients.

## **CONCLUSION**

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days, up to and including February 7, 2020, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

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November 27, 2019

**Attorney for Applicant/Petitioner**

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 27th day of November 2019, a true and correct copy of the foregoing was filed with the Court and served electronically on the following:

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/s/ Katayoun A. Donnelly  
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