

**CAPITAL CASE**

No. 21-A-\_\_\_\_\_

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

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**JON HALL,**

Petitioner-Applicant

vs.

**TONY MAYS,**

Respondent

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**UNOPPOSED APPLICATION FOR EXTENSION OF TIME  
TO FILE PETITION FOR WRIT OF CERTIORARI**

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To The Honorable Brett Kavanaugh, Associate Justice, and Circuit Justice  
For The United States Court Of Appeals For The Sixth Circuit: Pursuant to  
Supreme Court Rule 13.5, in this capital case, Applicant Jon Hall respectfully  
applies for a sixty (60) day extension of time, to and including February 18, 2022,  
within which to file a petition for writ of certiorari. In support of this application,  
Jon Hall states:

1. This is a capital proceeding. The district court denied Hugueley's  
petition for a writ of habeas corpus. *Hall v. Carpenter*, No. 05-1199-JDB-EGB, 2015

WL 1464017, at \*33 (W.D. Tenn. Mar. 30, 2015). In a published opinion, the Sixth Circuit affirmed. *Hall v. Mays*, 7 F.4th 433 (6th Cir. 2021) The Sixth Circuit declined to rehear the case en banc. *Hall v. Mays*, 15-5436 (6th Cir. Sept. 21, 2021) (Order).

2. Jon Hall presently has until December 20, 2021 to file a petition for writ of certiorari. *See* U.S. S. Ct. R. 13.1.

3. Under Rule 13.5, this Court may extend the time for seeking certiorari for up to sixty (60) additional days. Your Honor should do so under the circumstances.

4. Undersigned counsel has been engaged in extensive capital representation of behalf of Mr. Pervis Payne, culminating the Criminal Court for Shelby County vacating Mr. Payne's death sentence. *See* *Payne v. Tennessee*, 87-04409 & 8704410 (Shelby Cty. Crim. Ct. Nov. 23, 2021).

5. Undersigned counsel oversees the Capital Habeas Unit for the Middle District of Tennessee. On November 3, 2021, the Tennessee Supreme Court set an execution date for Mr. Oscar Smith for April 21, 2022. *Tennessee v. Smith*, No. M2016-018969-SC-R11-PD (Tenn. Nov. 3, 2021) (Order). Undersigned counsel oversees the legal team representing Mr. Smith and is currently engaged in extensive litigation on his behalf.

6. Given counsel's current and ongoing responsibilities, counsel will require additional time to prepare and present to this Court Mr. Hall's petition for writ of certiorari.

7. Opposing counsel, Deputy Attorney General John Bledsoe, has authorized undersigned counsel to state that he has no objection to this application.

8. In this capital case, therefore, Your Honor should grant Jon Hall a sixty (60) day extension of time to file a petition for writ of certiorari. *See e.g.*, *Dupree v. Laster*, U.S.No. 10A444 (Nov. 1, 2010) (Kagan, J.) (granting sixty-day extension of time to file petition for writ of certiorari); *Wynne v. Renico*, U.S.No. 10A372 (Oct. 14, 2010) (same); *Marshall v. Huber*, U.S.No. 10A335 (Oct. 1, 2010) (same); *Smith v. Bell*, U.S. No. 10A493 (Nov. 16, 2010) (same).

#### CONCLUSION

The application for extension of time to file a petition for certiorari should be granted, up to and including Friday, February 18, 2022.

Respectfully Submitted,

/s/ Kelley Henry

Kelley Henry

Supervisory Assistant Federal Defender

Capital Habeas Unit

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CERTIFICATE OF SERVICE

I certify that a copy of this application was served upon counsel for Respondent, Davey Douglas, 425 Fifth Avenue North, Nashville, Tennessee 37243 this the 3rd day of December, 2021.

/s/ Kelley J. Henry

Kelley J. Henry

Counsel for Jon Hall