

In The  
**SUPREME COURT OF THE UNITED STATES**  
**October Term 2021**

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**Isaiah Henderson,**  
*Applicant/Petitioner,*

v.

**United States**  
*Respondent.*

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**Application for an Extension of Time Within  
Which to File for a Writ of Certiorari to the United States Court of Appeals  
for the Eighth Circuit**

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**APPLICATION TO THE HONORABLE JUSTICE  
BRETT KAVANAUGH AS CIRCUIT JUSTICE**

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December 27, 2021

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

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Isaiah Henderson hereby requests a 30-day extension of time within which to file a petition for a writ of certiorari up to and including Monday, February 14, 2022.

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

The judgment for which review is sought is *United States v. Isaiah Henderson* No. 20-2594 (8th Cir. Aug. 27, 2021) (attached as Exhibit 1). The Eighth Circuit Court of Appeals denied Applicant's motion for rehearing or modification on October 15, 2021 (attached as Exhibit 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 was due to be filed on or before January 13, 2022. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

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

Applicant respectfully request a 30-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the United States Court of Appeals for the Eighth Circuit in this case, up to and including February 14, 2022.

1. Applicant has requested that the Northwestern University School of Law Supreme Court Practicum assist in the preparation of their petition. An extension of time will permit the students the time necessary to complete a cogent and well-researched petition.

2. Counsel requests a 30-day extension request in order to allow the Northwestern Practicum adequate time to research and complete the petition after the beginning of the academic calendar for spring 2021, which commences January 10, 2021. The Northwestern Practicum is not in session from December 2, 2021 through January 9, 2022.

3. The extension of time is also necessary because of the press of other client business. For example, in the coming months, the Northwestern Practicum has several overlapping commitments representing other clients in this Court, including petitions for writs of certiorari in *Hunter v. United States* (No. 22-) and *Chad Thompson, et al., v. United States* (22-), and reply briefs in *Haggerty v. United States* (No. 21-516) and *Baxter v. Superintendent Coal Township SCI, et al.* (No. 21-5826). Mr. Green is also appointed counsel in two D.C. Court of Appeals cases currently briefing and/or preparing for oral argument, *Johnson v. United States*, (No. 13-CF-493), and *Young v. United States*, (No. 18-CF-0694), and has ongoing litigation in the District Court for the District of Columbia, the Delaware District Court, and the Eastern District of Pennsylvania. A 30-day extension for the Applicant would allow Mr. Green the necessary amount of time to effectively contribute to all open matters including Applicant's petition as well as his other client business abroad, and would also allow the Northwestern Practicum students sufficient time for research and drafting efforts per Applicant's request.

4. The counsel of record, Attorney Heather Quick, needs additional time in which to prepare and draft the Petition for Writ of Certiorari in this matter. In the past two weeks she has filed two initial appellant briefs, two reply briefs and a Petition for Rehearing with the Eighth Circuit Court of Appeals. Further, in the

next three weeks she has eleven initial appellant briefs as well as a Petition for Rehearing due with the Eighth Circuit Court of Appeals.

## CONCLUSION

For the foregoing reasons, Applicant respectfully request that this Court grant an extension of 30 days, up to and including February 14, 2022, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

*/s/ Heather Quick*

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