

21-A286

In The
SUPREME COURT OF THE UNITED STATES

October Term 2021

Isaiah Henderson,
Applicant/Petitioner,

v.

United States
Respondent.

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

APPLICATION TO THE HONORABLE JUSTICE
BRETT KAVANAUGH AS CIRCUIT JUSTICE

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February 2, 2022

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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 Wednesday, March 16, 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). The Eighth Circuit Court of Appeals denied Applicant's motion for rehearing or modification on October 15, 2021.

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 February 14, 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 an additional 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 Wednesday, March 16, 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 an additional 30-day extension 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 commenced January 14, 2021.

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 the reply brief *Baxter v. Superintendent Coal Township SCI, et al.* (No. 21-5826). Mr. Green is also counsel of record for respondent in *Budha Jam et al. v. International Finance Corporation* (No. 21-995), in which a brief in opposition will be filed shortly. Mr. Green is also counsel of record 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, 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 Wednesday, March 16, 2022, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

/s/ Heather Quick

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