

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

IN THE  
SUPREME COURT OF THE UNITED STATES

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BRYANT LOVE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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On Application to Extend Time to File  
Petition for Writ of Certiorari to the  
Honorable Associate Justice Amy Coney Barrett

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Russell W. Brown, Jr.  
*Counsel of Record*  
9211 Broadway  
Merrillville, IN 46410  
219-769-6300  
219-769-0633 (fax)  
[rbrown@kbmtriallawyers.com](mailto:rbrown@kbmtriallawyers.com)

Comes now, Petitioner Bryant Love, by Counsel Russell W. Brown, Jr. and moves, pursuant to Rule 13.5 for an extension of time to file a petition for writ of certiorari and in support thereof states the following:

1. Mr. Love was convicted in the United States District Court for the Northern District of Indiana and sentenced on June 22, 2020.
2. Mr. Love appealed the final judgment in the United States Court of Appeals for the Seventh Circuit Court pursuant to 28 U.S.C. §§1291 and 1294(1).
3. On October 4, 2021, the Seventh Circuit Court's August 6, 2021 judgment became final when the court denied Mr. Love's Petition for Rehearing and Petition for Rehearing En Banc.
4. This Court has jurisdiction to review the judgment pursuant to 28 U.S.C. § 1254(1).
5. Mr. Love seeks to review the Seventh Circuit Court's October 4, 2021 opinion.
6. Pursuant to Rules 13.1 and 13.3, the deadline for Mr. Love to file his petition for writ of certiorari is January 3, 2022.
7. Despite counsels most deliberate efforts, Counsel has been unable to adequately research the issues and prepare Mr. Love's petition for writ of certiorari due to the engagement of other litigation Counsel has been involved in:

- a. Counsel was scheduled to commence a jury trial on October 5, 2021 in the matter of State of Indiana vs. James Lutinen, in the Porter Superior Court under Cause No. 64D01-1603-F3-363. The morning of October 5, 2021, Mr. Lutinen accepted a plea agreement that vacated the trial setting.
- b. Counsel has been appointed as standby Counsel in the matter of United States of America vs. Hailey Gist-Holden, Cause No.: 2:21-cr-71, which case is being reviewed by the Department of Justice as a potential death penalty case. Despite Counsel's position as standby, Counsel has spent voluminous hours reviewing discovery, reviewing and analyzing several *pro se* motions in case the Defendant decides to no longer represent himself.
- c. Counsel was scheduled to commence a jury trial on October 26, 2021 in the matter of State of Indiana vs. Paris Hill, in the Tippecanoe Superior Court under Cause No.: 79D02-1903-F2-11. That trial date was continued; however, the trial did commence on December 7, 2021 and ended December 9, 2021. Counsel therefore had to engage in trial preparation for this case on two separate occasions.
- d. Counsel is the counsel of record for Nathan Berkman in the matter of Nathan Berkman vs. Frank Vanihel, an appeal pending In The United States Court of Appeals for the Seventh Circuit, Cause No.:

21-1567. Counsel participated in oral arguments in that matter on November 12, 2021.

e. Counsel is the counsel of record for Andre Hastings in the matter of Andre Hastings vs. State of Indiana, an appeal pending in the Indiana Court of Appeals under Cause No.: 21A-CR-01765. Brief of Appellant is currently due on or before January 3, 2022.

8. In addition to the litigation as outlined above, Counsel has had difficult time effectively communicating with Mr. Love, who is currently incarcerated at the Greenville Federal Correctional Institution due to, among other things, the facility being on lockdown due to COVID-19 quarantines.

9. Mr. Love respectfully requests that deadline to submit his petition for writ of certiorari be extended to and including February 14, 2022, which equates to a 43 day extension.

10. Counsel has attempted to contact Assistant United States Attorney David Hollar via e-mail to obtain his position on the granting of this Motion. At the time of depositing this Motion in the United States Postal Service, Counsel has not received a response.

WHEREFORE, Mr. Love, by Counsel, prays that your Honor grant his Application to Extend Time to File Petition for Writ of Certiorari to and including February 14, 2022 and for all other just and proper relief.

Respectfully submitted,

King, Brown & Murdaugh, LLC

By: \_\_\_\_\_

Russell W. Brown, Jr. #29628-64

Attorney for Defendant

Barrister Court

9211 Broadway

Merrillville, IN 46410

219/769-6300 - Fax 219/769-0633