

No. 21-

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**IN THE SUPREME COURT OF THE UNITED STATES**  
**October term 2021**

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**Denzell Russell,**

*Petitioner*

v.

**United States of America,**

*Respondent.*

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**Application for Extension of Time Within Which to File for a Writ of  
Certiorari to the Court of Appeals for the Sixth Circuit**

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

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

Petitioner Denzell Russell was convicted of being a felon in possession of a firearm and sentenced to 80 months in federal prison. Petitioner filed a direct appeal to the Sixth Circuit Court of Appeals, which affirmed. *United States v. Denzell Russell*, 26 F.4th 371 (6th Cir. 2022) (attached as Exhibit A). The Sixth Circuit denied Petitioner's request for rehearing en banc on April 26, 2022 *United States v. Denzell Russell*, 31 F.4th 1009 (6th Cir. 2022) (attached as Exhibit B).

Pursuant to Supreme Court Rules 13.5, 22, and 30, Petitioner respectfully requests a 60-day extension of time, up to and including September 23, 2022, to file a petition for a writ of certiorari to the United States Court of Appeals for the Sixth Circuit to review that court's decision in *United States v. Denzell Russell*, 26 F.4th 371 (6th Cir. 2022). (Exh. A).

### **JURISDICTION**

The jurisdiction of this Court will be invoked under 28 U.S.C. § 1254(1), and the time to file a petition for a writ of certiorari will expire without an extension on July 23, 2022. This application is timely because it has been filed more than 10 days prior to the date on which the time for filing the petition is to expire.

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

Counsel for Mr. Russell is a Research and Writing Attorney with the Federal Public Defender's Office and is responsible for researching and preparing written pleadings in the district court as well as appellate briefs in the Sixth Circuit. Counsel has dozens of active district court cases, including a murder case which requires

extensive research and preparation, *United States v. Perkins*, N.D Oh. 1:21-CR-869. Counsel is also currently preparing appellate briefs in *United States v. Beard*, Sixth Cir. No. 22-3398, *United States v. Brown*, Sixth Cir. No. 22-3470, and *United States v. Campbell*, Sixth Cir. No. 22-3537. For these reasons, counsel is unable to devote the time and attention necessary to prepare an adequate and effective petition for writ of certiorari by the current due date. Petitioner requests an additional 60 days, which will allow counsel time to prepare the petition for writ of certiorari.

### CONCLUSION

Accordingly, the petitioner respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari for 60 days, up to and including September 23, 2022.

Dated: July 5, 2022

Respectfully submitted,

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/s/ Catherine Adinaro  
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