

No. _____

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

AKPENE YAA ASEMPA,

Petitioner,

v.

STATE OF MINNESOTA,

Respondent.

**APPLICATION FOR EXTENSION OF TIME TO
FILE A PETITION FOR A WRIT OF
CERTIORARI TO MINNESOTA SUPREME
COURT**

AKPENE YAA ASEMPA
3225 Meadow Brook Court
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651-765-6035
akpeneasempa@gmail.com

Petitioner Pro Se

December 08, 2022

**To the Honorable Justice Brett Michael Kavanaugh, as Circuit
Justice for the Minnesota Supreme Court:**

Petitioner, Akpene Yaa Asempa, pursuant to Supreme Court Rule 13.5, respectfully requests a 60-day extension of time, to and including February 28, 2023 to file a petition for writ of certiorari. In support of this application, Petitioner states as follows:

1. The Minnesota Supreme Court issued its panel decision on September 28, 2022. The decision is attached hereto as **Exhibit 1**. Absent an extension of time, the petition for writ of certiorari would therefore be due on Wednesday, December 28, 2023, Petitioner files this application within 10 days of the petition due date because, Petitioner is filing a motion for rehearing in the Minnesota Supreme Court out of time to see whether it could be resolved at the lower level. Furthermore, Petitioner has been searching for ways to appeal this important criminal conviction resulting from the Court accepting a guilty plea after it has been withdrawn.

Petitioner has limited resources and is preparing and financing the production of the petition on her own. Petitioner needs additional time to complete the petition and raise the more than \$7,500 necessary to hire a commercial printer to produce the petition in accordance with the requirements of Rule 33.1.

2. The Court to which certiorari would be directed is the Minnesota Supreme Court. This Court would have jurisdiction to review the judgment of the Minnesota Supreme Court under 28 U.S.C. §1257.

3. The primary issue to be presented by the petition is the subject is whether a state court can accept a guilty plea AFTER the Defendant has withdrawn the plea. Because the case presents a question that is contrary to State Court misapplication of criminal statute, it is in the public interest to grant the extension as to ensure that the constitutional guarantees in Criminal Proceeding are not violated, as this case squarely comes at the intersection of contract law of offer and acceptance and criminal proceeding of acceptance of guilty plea.

4. As noted *supra*, the requested 60-day extension is necessary for Petitioner to complete his petition and finance its production. No meaningful prejudice will result to the Respondent or anyone else if the Court grants the requested extension. By contrast, the Petitioner would be severely prejudiced if he is denied the opportunity to present his petition to this Court.

CONCLUSION

For the reasons set forth herein, Petitioner respectfully requests 60-day extension of time, to and including February 28, 2023, to file her petition for writ of *certiorari*.

Dated: December 8, 2022

Respectfully submitted,



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FILED

September 28, 2022

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA
IN SUPREME COURT

A21-1569

State of Minnesota,

Respondent,

EXHIBIT 1

vs.

Akpen Yaa Asempa,

Petitioner.

O R D E R

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that the petition of Akpen Yaa Asempa for further review be, and the same is, denied.

IT IS FURTHER ORDERED that the fee for a petition for review is waived for the purpose of filing the petition for review in this appeal.

Dated: September 28, 2022

BY THE COURT:



Lorie S. Gildea
Chief Justice