

No. A-_____

In the Supreme Court of the United States

J.R.,

Petitioner,

v.

North Carolina

Respondent.

**Application for an Extension of Time to File a Petition for a
Writ of Certiorari to the North Carolina Supreme Court**

To the Honorable John G. Roberts, Jr., Chief Justice of the United States and
Circuit Justice for the Fourth Circuit:

Pursuant to Rule 13.5 of this Court, Petitioner J.R.¹ respectfully requests a 30-day extension of time, to and including April 17, 2023, in which to file a petition for a writ of certiorari in this Court. The Court has jurisdiction under 28 U.S.C. § 1257.

The judgment of the North Carolina Supreme Court was entered on December 16, 2022, so the time to file a petition for a writ of certiorari currently expires on March 16, 2023. A copy of the North Carolina Supreme Court's opinion is attached.

The question presented in this case is whether the Due Process Clause allows a trial court to combine the roles of prosecutor and judge in proceedings for the involuntary commitment of a person to a psychiatric hospital. In most states, government lawyers appear at these proceedings to represent the state's interest in seeking involuntary commitment. This was once true in North Carolina as well, but

¹ North Carolina law bars the public disclosure of J.R.'s name. N.C. Stat. § 122C-52. Both sides in this case have accordingly used his initials in all filings accessible to the public.

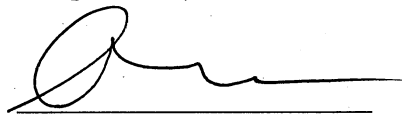
now, in many cases, no party appears in court to seek commitment. The state's trial judges have been forced to assume the role of the government attorney as well as their own; they first present the evidence for commitment and then determine whether that evidence satisfies the state's burden of proof.

In the decision below, by a vote of four to three, the North Carolina Supreme Court erroneously rejected the argument that this combination of roles violates the Due Process Clause by depriving people of their right to an impartial judge. This holding is contrary to the decisions of courts in other jurisdictions. It is also impossible to square with this Court's decisions.

Good cause exists for an extension of time to prepare a certiorari petition in this case. Undersigned counsel of record was not involved in the case in the lower courts. Counsel needs time to familiarize himself with the full record and to conduct the research necessary for the preparation of the certiorari petition.

For these reasons, we request a 30-day extension of time, to and including April 17, 2023, in which to file a petition for a writ of certiorari.

Respectfully submitted,



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February 2, 2023