

No.

**In The
Supreme Court of the United States**

OCTOBER TERM, 2023

JAVONTAE QUINTEZ WHITE,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

On Petition for a Writ of Certiorari to the United
States Court of Appeals for the Sixth Circuit

**APPLICATION FOR EXTENSION OF TIME
TO FILE PETITION FOR WRIT OF CERTIORARI**

Javontae Quintez White
Reg Number: 22492-040
USP Victorville
P.O. Box 3900
Adelanto, California 92301
Pro-Se Petitioner

To the Honorable Justice Brett M. Kavanaugh, Associate Justice of the Supreme Court and Circuit Justice for the United States Court of Appeals for the Sixth Circuit:

COMES NOW the Petitioner, Javontae Quintez White (“White”), *pro se*¹, and respectfully asks for an extension of time in which to file a petition for writ of certiorari. The Petition is currently due on March 13, 2023. Petitioner requests a 60-day extension, until May 12, 2023. Petitioner was originally tried and sentenced in the United States District Court for the Western District of Michigan. His conviction was affirmed by the United States Court of Appeals for Sixth Circuit on August 24, 2022 in an unreported decision. See: *United States v. Javontae Quintez White, No. 21-1417 (6th Cir. Aug. 24, 2022)*. A timely petition for rehearing with suggestion for rehearing *en banc* was denied on December 13, 2022. See: *United States v. Javontae Quintez White, No. 21-1417 (6th Cir. Dec. 13, 2022)*. Attached are copies of the opinion below and the order denying reconsideration.

¹ Because White is proceeding in this matter without the benefit of counsel, he respectfully requests that this Court apply a liberal interpretation to the questions and arguments asserted herein. See: *Hughes v. Rowe, 449 U.S. 5, 15 (1980)* (“*An unrepresented litigant should not be punished for his failure to recognize subtle factual or legal deficiencies in his claims*”).

The appeal involved multiple issues following a multiday trial. However, the likely issue that will be raised by White in his Petition to this Court will focus on the distinction between an “as but for cause of death” and “contributing factor” to death – as they relate to the enhancement mandated by 21 U.S.C. §841(b)(1). There is a split amongst the Circuits on this issue following this Court’s decision in *Burrage v. United States*, 517 U.S. 204, 210 (2014).

White is proceeding in this matter without benefit of counsel, as his attorney, appointed pursuant to the Western District of Michigan’s Criminal Justice Act Plan, advised that he would not represent him in his Petition to this Court. That said, White is confident that he can prepare and present a Petition but requires additional time to ensure that he has an opportunity to review controlling legal authority and draft the Petition. As an incarcerated litigant, White has limited access to legal reference materials – the additional time will ensure that even with the limited access he can prepare a well-reasoned Petition for the Court’s consideration. White is not seeking an of time to cause any undue prejudice to the United States and is making his request in good faith.

For all of the foregoing reasons and in the interest of justice, White prays that he is granted a 60-day extension of time in which to file his Petition for a writ of certiorari.

Respectfully Submitted,

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