

**CAPITAL CASE  
23-**

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**In The  
SUPREME COURT OF THE UNITED STATES  
October Term 2022**

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**BEAU JOHN GREENE  
*Applicant/Petitioner,***

**v.**

**STATE OF ARIZONA,  
*Respondent.***

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**Application for an Extension of Time Within  
Which to File a Petition for a Writ of Certiorari to the  
Arizona Supreme Court**

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**APPLICATION TO THE HONORABLE JUSTICE  
ELENA KAGAN AS CIRCUIT JUSTICE**

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July 3, 2023

## **APPLICATION FOR EXTENSION OF TIME**

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Beau Greene requests a 60-day extension of time to file a petition for writ of certiorari, up to and including Monday, September 11, 2023.

## **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

The judgment for which review is sought is the Arizona Supreme Court's reversal of postconviction relief in *State of Arizona v. Beau John Greene*, No. CR-21-0082-PC (April 14, 2023). Attachment A. The Arizona Supreme Court reversed the decision in *State of Arizona v. Beau John Greene*, No. CR-048730 (February 2, 2021). Attachment B.

## **JURISDICTION**

This Court will have jurisdiction over any timely filed petition for writ of certiorari in this case pursuant to 28 U.S.C. 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for writ of certiorari is due to be filed on or before July 13, 2023. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

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

Applicant respectfully requests a 60-day extension of time within which to file a petition for writ of certiorari seeking review of the decision of the Arizona Supreme Court in this case, up to and including September 11, 2023.

Lead counsel Julie Hall, who has not previously represented Mr. Greene, requires additional time to review the case and prepare the petition. Additionally, Ms. Hall was appointed in April to *State v. Strong*, No. CR17-0202-AP (Ariz.), a capital case in which she was substituted for retiring counsel and given a filing deadline of July 14, 2023, for a pleading in the appeal from a four-month trial. The Arizona Supreme Court has stated it will not grant any further extensions of time for that filing. An extension of time in the instant case is necessary because of undersigned counsel's commitments in both of these matters.

A 60-day extension for Applicant Mr. Greene would allow Ms. Hall the necessary amount of time to effectively prepare the petition for writ of certiorari in this case. Undersigned counsel have been in contact with the State and it has no opposition to this motion.

### CONCLUSION

For the foregoing reasons, Applicant Beau Greene respectfully requests this Court grant an extension of 60 days, up to and including September 11, 2023, within which to file a petition for writ of certiorari in this case.

Respectfully submitted,

*s/Julie Hall*

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