

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

MOSES CROWE

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE EIGHTH CIRCUIT

**PETITIONER'S APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR A WRIT OF CERTIORARI**

Eric T. Davis
1209 Junction Ave.
Sturgis, SD 57785
(605) 561-6283
eric@nelsonlawsturgis.com
Bar#: 315801

**PETITIONER'S APPLICATION FOR EXTENSION OF TIME
TO FILE A PETITION FOR A WRIT OF CERTIORARI**

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

Petitioner, Moses Crowe, respectfully applies to this Court for an order extending the time in which to file his petition for writ of certiorari from July 20, 2023 until August 23, 2023, a period of thirty-four (34) days. This Court has jurisdiction under 28 U.S.C. §1257. In support of this Application, Mr. Crowe states as follows:

1. Mr. Crowe is incarcerated under convictions of carjacking resulting in serious bodily injury, discharge of a firearm during and in relation to a crime of violence, and possession of a firearm by a prohibited person. On August 23, 2021, the United States Court of Appeals for the Eighth Circuit issued an opinion in Case No. 20-2770. On April 23, 2023, the United States Court of Appeals for the Eighth Circuit entered an order denying an application for panel rehearing and rehearing *en banc*.

2. Mr. Crowe's case raises important questions concerning the rights guaranteed to Mr. Crowe by the Confrontation Clause of the Sixth Amendment of the United States Constitution and his constitutional right to a fair trial.

2. Mr. Crowe now seeks a writ of certiorari for the United States Court of Appeals for the Eighth Circuit with respect to its decision. This Court's jurisdiction to grant the same arises pursuant to 28 U.S. C. § 1254 (1).

3. According to Supreme Court Rule 13.3, a petition for writ of certiorari to is

due on or before July 20, 2023. See Supreme Court Rule 13.3 (“the time to file the petition for a writ of certiorari . . . runs from the date of the denial of rehearing or, if rehearing is granted, the subsequent entry of judgment”). However, the time granted by Supreme Court Rule 13 will be insufficient to allow Petitioner’s counsel to do justice to the issues at hand, which are exceedingly important. Therefore, Petitioner seeks an extension of thirty-four (34) days in which to file his petition for a writ of certiorari. See Supreme Court Rule 13.5 (“[A] Justice may extend the time to file a petition for writ of certiorari for a period not exceeding 60 days”).

4. In accordance with Supreme Court Rule 13.5, this Application is submitted at least ten (10) days prior to the present due date. Further, the requested extension is made in good faith and not for the purposes of delay.

5. Other professional obligations and the importance of the issues presented by this case have precluded counsel from being able to direct adequate time and attention to the preparation of a petition for writ of certiorari on Petitioner’s behalf. Therefore, in light of counsel’s current obligations and the importance of the constitutional issues that will be presented in this case, counsel submit that a thirty-four (34) day extension is necessary and appropriate in order to effectively prepare the petition for certiorari on Mr. Crowe’s behalf.

Wherefore, in the interest of justice and for good cause shown, counsel for Mr. Crowe respectfully requests this Court extend the current July 20, 2023 deadline until August 23, 2023.

Respectfully submitted,

/s/ Eric T. Davis

Eric T. Davis

1209 Junction Ave.

Sturgis, SD 57785

(605) 561-6283

eric@nelsonlawsturgis.com

Bar#: 315801

Counsel for Petitioner