

No. \_\_\_\_\_

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

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RICHARD PLISHKA,

*Applicant,*

v.

THE BYZANTINE CATHOLIC DIOCESE OF PARMA, INC.,  
AND WILLIAM SKURLA,

*Respondents.*

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

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**To the Honorable Brett Kavanaugh, as Circuit Justice for the Sixth Circuit:**

In accordance with this Court’s Rules 13.5, 22, 30.2, and 30.3, Applicant Fr. Richard Plishka respectfully requests that the time to file his petition for a writ of certiorari be extended for 60 days, up to and including Friday, December 29, 2023. The Supreme Court of Ohio issued its decision denying Fr. Plishka’s timely motion for reconsideration on August 1, 2023 (Exhibit A). Absent an extension of time, the petition would be due on October 30, 2023. This Court has jurisdiction pursuant to 28 U.S.C. 1257(a).

**Judgment Sought to Be Reviewed**

This case presents a substantial and important question of federal constitutional law: Whether the doctrine of ecclesiastical abstention—a First Amendment doctrine initially outlined by this Court in *Watson v. Jones*, 80 U.S. (13 Wall.) 679 (1871)—operates to deprive secular courts of subject-matter jurisdiction. Here, the Ohio Court of Appeals answered that question in the affirmative. The Supreme Court of Ohio, by a 4-3 vote, declined to accept the case for review.

**Reasons Why an Extension of Time Is Warranted**

Good cause exists for an extension of time to prepare a petition for a writ of certiorari in this case. Undersigned counsel is a solo practitioner. The press of other business—including an opening merits brief in the Ohio Supreme Court, *see Berkeimer v. REKM*, No. 23-293; a habeas corpus petition in the United States District Court for the District of Colorado, *Wannakuwatte v. Williams*, No. 1:23-CV-2246; and an amicus brief in the Kansas Supreme Court, *League of Women Voters of Kansas v.*

*Schwab*, No. 23-125084-S—has prevented counsel from preparing a petition for a writ of certiorari in this matter to date. Prospectively, counsel will be travelling for pre-planned, prepaid vacation October 2–17, 2023. Upon return, only 13 calendar days will remain until the present deadline for the filing of the petition in this case. During that same 13-day time period, counsel will be charged with drafting and filing a merits reply brief in the *Berkheimer* matter before the Ohio Supreme Court (due October 30, 2023), preparing for an imminent criminal resentencing in the United States District Court for the Southern District of Ohio, and drafting an urgent civil complaint in a third federal matter.

### **Conclusion**

Applicant Fr. Richard Plishka respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari for 60 days, up to and including December 29, 2023.

October 2, 2023

Respectfully submitted,

/s/ Emmett E. Robinson  
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