

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

October Term 2023

KEVIN KEITH

Petitioner,

v.

WARDEN, MARION CORRECTIONAL INSTITUTION,

Respondent.

**CORRECTED UNOPPOSED APPLICATION TO EXTEND THE TIME TO
FILE PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT**

Office of the Ohio Public Defender

By:

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Counsel for Petitioner Kevin Keith

To the Honorable Brett Kavanaugh, Circuit Justice for the United States Court of Appeals for the Sixth Circuit:

1. For the specific reasons set forth below, Petitioner Kevin Keith respectfully requests, under Supreme Court Rules 13.5, 22, and 30.3, a sixty-day extension of time to file his petition for a writ of certiorari regarding the denial, by the United States Court of Appeals for the Sixth Circuit, of his request for habeas corpus relief under 28 U.S.C. § 2244 and 2254.
2. On August 15, 2023, the Sixth Circuit issued an opinion affirming the district court's denial of Mr. Keith's successor habeas petition (Case No. 21-3948). A copy of the opinion is attached.
3. Mr. Keith seeks for this Court to review the Sixth Circuit's August 15, 2023 opinion. Jurisdiction in this Court is appropriate under 28 U.S.C. § 1254(1).
4. Mr. Keith recognizes that he is within the 10-day window prior to the deadline, but good cause exists to justify Mr. Keith's requested extension. Attorney Troutman is working to balance some personal issues with casework obligations to other capital and non-capital clients in various stages of state and federal litigation. Most importantly, undersigned counsel's father is terminally ill and recently began declining rapidly. In addition, counsel has been preparing for a sentencing hearing for an aggravated murder case, scheduled for November 16-17, 2023. Mr. Keith does not currently have other counsel who are licensed to practice in this Court.
5. Petitioner Keith's counsel thus requires an extension of time to adequately prepare his petition for a writ of certiorari.
6. Counsel for Respondent Warden, Senior Assistant Attorney General Brenda S. Leikala, of the Office of the Ohio Attorney General, has indicated that her office does not oppose this 60-day extension.

Therefore, Petitioner Kevin Keith respectfully requests that an order be entered extending his time to file a petition for a writ of certiorari for sixty days, from November 13, 2023, until January 12, 2024.

Respectfully Submitted,

Office of the Ohio Public Defender, by:

/s/ Rachel Troutman

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