

App. No. _____

IN THE
Supreme Court of the United States

DAVID JAMES LACK,

Petitioner,

v.

MATTHEW RODRIGUEZ,

Respondent.

On Application for an Extension of
Time to File Petition for a Writ of
Certiorari to the United States Court
of Appeals for the Ninth Circuit

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

DAVID LACK
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Proceeding Pro Se

RECEIVED

DEC - 6 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Circuit:

Pursuant to Title 28, United State Code, Section 2101(c) and Rule 13 of the Rules of the Supreme Court of the United States, application is made for an extension of time within which to file a petition for a writ of certiorari from November 28, 2023, to and including January 29, 2024.

1. The order sought to be reviewed is that of the Ninth Circuit in the case entitled *David James Lack v. Matthew Rodriguez*, No. 22-55583.

2. The order sought to be reviewed was entered on August 30, 2023. The time allowed by law for filing a petition for a writ of certiorari will expire on November 28, 2023.

3. The order of the Ninth Circuit denied the issuance of a certificate of appealability. A copy of (1) the Motion for Certificate of Appealability and (2) the order denying the Motion for Certificate of appealability are appended. The order was not reported.

4. The jurisdiction of this court is invoked under the provisions of 28 U.S.C. § 2101(c).

5. This case involves [statement of grounds on which certiorari will be sought]. Jury Misconduct;

6. This extension is requested because [statement of reasons why applicant will be unable to timely file petition, and reasons for additional time requested]. My Federal Appointed Attorney in my first case told me I must take it from here. And currently I am in the 9th Circuit in my 2nd case # 23-55522 and I have a deadline for this until December 10, 2023. So, I am asking for more time.

DATED: November 17, 2023

Respectfully submitted,



DAVID JAMES LACK
Proceeding Pro Se

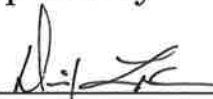
CERTIFICATE OF SERVICE

A copy of this application was served by U.S. mail to the counsel listed below in accordance with Supreme Court Rule 22.2 and 29.3:

Julie Ann Harris
Email: julie.harris@doj.ca.gov
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300 S Spring Street
Suite 1702
Los Angeles, CA 90013

DATED: November 17, 2023

Respectfully submitted,



DAVID JAMES LACK
Proceeding Pro Se