

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

ROBERT HOLTON
Petitioner

v.

BOBBY HENON, ET AL
Respondent

**APPLICATION FOR EXTENSION OF TIME TO FILE
PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE THIRD CIRCUIT**

TO THE HONORABLE JUSTICES OF THE COURT:

Appellant, Robert Holton, by his attorney, Stephen A. Durham, Esquire, moves for an Order extending the time for filing a Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit for a period of sixty (60) days from January 8, 2024 to and including March 8, 2024, and states:

1. Counsel for Appellant will be out of state, on vacation, from December 28, 2023 to January 15, 2024, following which he expects to be called for trial in Philadelphia in a major case that has been pending for four (4) years.
2. The final order of the United States District Court for the Eastern District of Pennsylvania entered March 9, 2022, affirmed by the Court of Appeals, incorrectly states “it is hereby ordered that for the reasons set forth in the accompanying Memorandum, Plaintiff’s (sic) Motion for Summary Judgment is GRANTED. The District Court granted Defendants’ Motion for

Summary Judgment.

3. Counsel for Petitioner plans to confer with previous counsel for Petitioner regarding the prior appeal decided in favor of Petitioner by the United States Court of Appeals for the Third Circuit. Prior counsel, age 91, resides in Massachusetts and is disabled.

WHEREFORE, Plaintiff respectfully requests this Honorable Court to grant a sixty (60) day extension of time in which to file Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit.

Respectfully submitted:

DURHAM & JAMES, P.C.

Stephen A. Durham

STEPHEN A. DURHAM, ESQUIRE
Attorney for Appellant, Robert Holton
320 West Front Street
Media, Pennsylvania 19063
Telephone No.: (610) 565-4750
Fax No.: (610) 565-4820
Email: sdurham@dandjlaw.com
I.D. No. 30086

PROOF OF SERVICE

I hereby certify that I am this day serving the foregoing Motion to Extend Time to File a Petition for Writ of Certiorari upon the City of Philadelphia Law Department, Diana P. Cortes, City Solicitor, Adam R. Zurbriggen, Deputy City Solicitor, Civil Rights Unit, 1515 Arch Street, 14th Floor, Philadelphia, PA 19102-1595 via the ECF system of the Supreme Court of the United States and U.S. First Class Mail.

Dated: December 28, 2023

/s/ Stephen A. Durham

STEPHEN A. DURHAM, ESQUIRE
Attorney for Appellant, Robert Holton
320 West Front Street
Media, Pennsylvania 19063
Telephone No.: (610) 565-4750
Fax No.: (610) 565-4820
Email: sdurham@dandjlaw.com
I.D. No. 30086