

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2023

GAIL M. RITCHEY, *Petitioner*

v.

STATE OF OHIO, *Respondent*

On Petition for a Writ of Certiorari to the
Eleventh Appellate District of Ohio, Geauga County Court of Appeals

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION
FOR WRIT OF CERTIORARI**

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Counsel for Petitioner

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COMES NOW, Gail M. Ritchey, through undersigned counsel, and, pursuant to Rule 13 of the Court's Rules, respectfully requests that this Honorable Court extend by sixty days, until April 27, 2024, the time by which a petition for writ of certiorari to the Geauga County Court of Appeals, Eleventh Appellate District of Ohio, may be filed in the instant case, which was reported below as Eleventh Dist. App. No. 2022-G-0025, 214 N.E.3d 704, 2023-Ohio-1625 (May 15, 2023).

The due date for the filing of a petition is February 27, 2024, which represents the ninetieth day since November 29, 2023, the day the Ohio Supreme Court finally declined to exercise discretionary review of the instant case, by denying a motion for reconsideration of its original decision declining to review the instant case. The November 29, 2023, denial of reconsideration, i.e. the triggering event for applying for certiorari to this Court, is reported at

172 Ohio St.3d 1418, 222 N.E.3d 662 (Table), 2023-Ohio-4259. The Ohio Supreme Court's original order denying discretionary review is reported at 171 Ohio St.3d 1422, 216 N.E.3d 690 (Table), 2023-Ohio-3180. The within application is being filed at least ten days prior to the due date for filing the petition for writ of certiorari. This Court has jurisdiction over this case pursuant to 28 U.S.C. 1257(a).

The instant case raises significant constitutional issues under the Sixth Amendment of the United States Constitution, including, but not limited to, whether the Sixth Amendment permits the introduction into evidence of a coroner's report prepared by a non-testifying and unavailable (deceased) declarant. In this case, the lower court held that this was permissible under the Sixth Amendment.

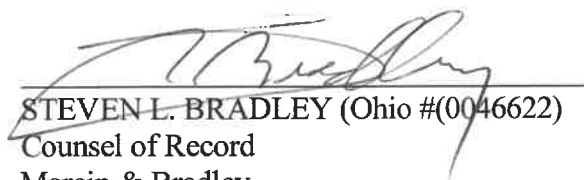
Undersigned counsel is unable to prepare the certiorari petition in this case within the normal ninety-day application period. Counsel has been engaged in a number of other matters, including having tried a murder jury trial.

By allowing counsel this additional period of time, this Court will enable Ms. Ritchey to fully present to the Court the reasons why the instant case is worthy of certiorari. This case is not only important to the development of the law, it is also important to Ms. Ritchey who is serving a life sentence (parole eligibility after 15 years).

The State of Ohio, Respondent in this case represented by the Geauga, Ohio County Prosecutor, will not be prejudiced by this requested period of extension.

Wherefore, Ms. Ritchey prays that her application for extension of time be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Bradley", is written over a horizontal line.

STEVEN L. BRADLEY (Ohio #(0046622)

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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that one true copy of the foregoing Application for Extension of Time to File a Petition for Writ of Certiorari, was served via U.S. mail upon Geauga County Prosecutor James R. Flaiz, Office of the Geauga County Prosecutor, 231 Main Street, 3rd Floor, Chardon, Ohio 44024, on this 15th day of February, 2024.

By:


STEVEN L. BRADLEY (Ohio #(0046622))
Counsel of Record

Counsel for Petitioner