

No. 23A_____

CAPITAL CASE

IN THE SUPREME COURT OF THE UNITED STATES

MELVIN BONNELL,
Petitioner,

vs.

TIM SHOOP,
Respondent.

**APPLICATION FOR A SIXTY (60) DAY EXTENSION OF TIME
IN WHICH TO FILE PETITION FOR A WRIT OF CERTIORARI**

TO: THE HONORABLE BRETT M. KAVANAUGH, ASSOCIATE JUSTICE
OF THE UNITED STATES SUPREME COURT, AND CIRCUIT JUSTICE
FOR THE SIXTH CIRCUIT:

Pursuant to Rule 13.5, petitioner respectfully requests a sixty (60) day extension of time in which to file his petition for a writ of certiorari in this Court, up to and including June 3, 2024. In support of this application, petitioner states the following grounds:

1. Petitioner, Melvin Bonnell, is an Ohio prisoner under a sentence of death who intends to seek discretionary review in this Court, pursuant to 28 U.S.C. § 1254, of the judgment of the Sixth Circuit Court of Appeals, issued on August 7,

2023. A copy of the opinion is attached hereto. The Sixth Circuit subsequently denied rehearing and rehearing *en banc* on January 3, 2024. A copy of this order is attached hereto.

2. Pursuant to Rule 13, petitioner's petition for a writ of certiorari is currently due on or before April 2, 2024.

3. Petitioner intends to file a petition for a writ of certiorari seeking discretionary review from this Court on questions surrounding whether the ripeness doctrine applies to an *Arizona v. Youngblood* claim for purposes of it being a newly available habeas claim when there are specific findings of a petitioner's diligence and two-decades of bad faith by a county prosecutor.

4. Counsel Komp filed a Petition for Writ of Habeas Corpus in in the capital case of *Trail v. Jeffries*, Case No. 4:24-3032 (Neb.), on February 8, 2024. Mr. Komp will be filing motions for reconsideration on an interlocutory order in United States District Court, Western District of Missouri in *McFadden v. Stange*, No. 4:18-cv-01559, and in the appointment matter in the United States District Court, Western District of Arkansas in *Dansby v. Payne*, Case No. 1:03-cv-1146.

WHEREFORE, for the foregoing reasons, petitioner respectfully requests that Justice Kavanaugh, in his capacity as Circuit Justice for the Sixth Circuit, issue an order granting petitioner a sixty day (60) extension of time up to and including June 3, 2024, in which to file his petition for a writ of certiorari.

Respectfully submitted,

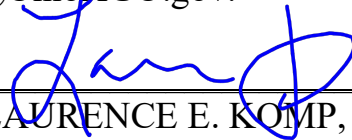


LAURENCE E. KOMP, #40446
Federal Public Defender
Western District of Missouri
1000 Walnut, Suite 600
Kansas City, MO 64106
(816) 471-8282
Laurence_Komp@fd.org

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I, Laurence E. Komp, attorney for petitioner, hereby certify that on the 18th day of March, 2024, a true and correct copy of the foregoing was mailed to: Mr. Charles L. Wille, Assistant Attorney General, 30 East Broad Street, Columbus, Ohio 43215-3400, and via email to: Charles.Wille@OhioAGO.gov.



LAURENCE E. KOMP, #40446