

Docket No. _____

IN THE SUPREME COURT OF THE UNITED STATES

BARBARA KOWAL,

Petitioner,

v.

UNITED STATES DEPARTMENT OF JUSTICE, ET AL.,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE
DISTRICT OF COLUMBIA CIRCUIT

APPLICATION FOR A THIRTY-DAY EXTENSION OF TIME IN WHICH
TO FILE PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

To the Honorable John G. Roberts, Chief Justice of the Supreme Court of
the United States and Circuit Justice for the District of Columbia Circuit:

Petitioner, BARBARA KOWAL, by and through undersigned counsel, and
pursuant to 28 U.S.C. § 2101(c) and Rules 13.5 and 30.2 of this Court, respectfully
requests an extension of time of thirty days to file a petition for writ of certiorari
to the United States Court of Appeals for the District of Columbia Circuit, up to
and including January 15, 2025. In support of this request, Petitioner submits the
following:

This Court has jurisdiction to review the decision of the United States Court of Appeals for the District of Columbia Circuit under 28 U.S.C. § 1254(1).

Petitioner Barbara Kowal is employed as a paralegal for the Office of the Federal Defender for the Middle District of Florida. On April 8, 2015, the Honorable Daniel T.K. Hurley, U.S. District Court Judge for the Southern District of Florida, appointed Petitioner's office to represent Daniel Troya, an indigent death-sentenced defendant, in his federal post-conviction proceedings under 28 U.S.C. § 2255. Appointment was made pursuant to the Criminal Justice Act, 18 U.S.C. § 3599(a)(2). In her capacity as a paralegal, Petitioner made several requests under the Freedom of Information Act ("FOIA") to obtain public records concerning Mr. Troya in the possession of the United States Department of Justice and its components: the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Federal Bureau of Investigation, and the Drug Enforcement Agency. After the denial of the FOIA requests due to statutory exemptions and after exhausting administrative appeals, Petitioner filed suit in district court and ultimately appealed to the Court of Appeals for the District of Columbia Circuit.

The instant case involves the decision of the United States Court of Appeals for the District of Columbia Circuit entered on July 16, 2024. *See Kowal v. United States Dep't of Just.*, 107 F.4th 1018 (D.C. Cir. 2024) ("Attachment A"). Petitioner's timely-filed Petition for Rehearing En Banc and/or Petition for Rehearing was denied on September 17, 2024 ("Attachment B"). The time to petition for certiorari in this Court expires on December 16, 2024. This

application for a thirty-day extension is being filed more than ten days before that date. *See Sup. Ct. Rule 13.5.*

Undersigned counsel, as an assistant federal defender in the Capital Habeas Unit, carries a full caseload of capital habeas cases being litigated in federal courts at various stages of habeas review. Presently, undersigned counsel is preparing a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 as well as a reply brief in another capital habeas case due this December. Due to undersigned counsel's caseload and the posture of his cases, counsel respectfully requests a thirty-day extension of time up to and including January 15, 2025, in order to prepare a proper petition for writ of certiorari in this matter.

Wherefore, Petitioner respectfully requests that an order be entered extending his time to petition for certiorari up to and including January 15, 2025.

Respectfully submitted,

/s/ Leor Veleanu
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Member of the Bar of this Court