

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT WOODALL

Petitioner,

v.

COMMONWEALTH OF KENTUCKY,

Respondent.

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

**CAPITAL CASE**

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June 5, 2025

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

Petitioner, Robert Woodall, respectfully applies to this Court for an order extending the time in which to file his petition for writ of certiorari from June 18, 2025, until August 17, 2025, a period of sixty (60) days. Woodall is filing this

Application at least ten days before the present due date. See S.Ct. R. 13.5. This Court has jurisdiction under 28 U.S.C. §1257. In support of this Application, Petitioner states as follows:

1. Mr. Woodall is incarcerated under conviction of murder for which he was sentenced to death. On April 18, 2024, the Supreme Court of Kentucky issued an opinion in Case No. 2022-SC-0232, wherein the Court affirmed the judgment of the Caldwell Circuit Court in Case No. 97-CR-00053. See opinion attached herein as Attachment 1. Mr. Woodall sought rehearing, which was denied with one Justice dissenting, by the Supreme Court of Kentucky on March 20, 2025. See order denying Petition for Rehearing attached hereto as Attachment 2.

2. Mr. Woodall now seeks a writ of certiorari for the Supreme Court of Kentucky with respect to its decision rendered on April 18, 2024, as referenced above. This Court's jurisdiction to grant the same arises pursuant to 28 U.S. C. § 1257 (a).

3. According to Supreme Court Rule 13.3, a petition for writ of certiorari to this court is due on or before June 18, 2025. See Supreme Court Rule 13.3 ("the time to file the petition for a writ of certiorari . . . runs from the date of the denial of rehearing or, if rehearing is granted, the subsequent entry

of judgment”). However, the time granted by Supreme Court Rule 13 will be insufficient to allow Petitioner’s counsel to do justice to the issue(s) at hand, which are of vast import. Therefore, Petitioner seeks an extension of sixty (60) days in which to file his petition for a writ of certiorari. See Supreme Court Rule 13.5 (“[A] Justice may extend the time to file a petition for writ of certiorari for a period not exceeding 60 days”).

4. In accordance with Supreme Court Rule 13.5, this Application is submitted at least ten (10) days prior to the present due date. Further, the requested extension is made in good faith and not for the purposes of delay. Indeed, the requested extension is made because of the vital importance associated with the issues at hand – the right to a fair and reliable sentence. This Court has repeatedly emphasized that “our duty to search for constitutional error with painstaking care is never more exacting than it is in a capital case.” *Burger v. Kemp*, 483 U.S. 776, 785 (1987). It is respectfully submitted that counsel’s duty to present all authorized claims of constitutional error with painstaking care is of equal import. Thus, it is important that counsel be granted additional time to research the constitutional issues at hand so that counsel may prepare Mr. Woodall’s petition with the care and accuracy demanded of such cases.

5. Obligations on behalf of clients of both counsel including clients who

have been sentenced to death, have precluded counsel from being able to direct adequate time and attention to the preparation of a petition for writ of certiorari on Petitioner's behalf. Therefore, in light of counsel's current obligations and the importance of the constitutional issues that will be presented in this capital case, counsel submit that a sixty (60) day extension is necessary and appropriate in order to effectively prepare the petition for certiorari on Mr. Woodall's behalf.

Wherefore, in the interest of justice and for good cause shown, counsel for Mr. Woodall respectfully request that this Court extend the current June 18, 2025 deadline until August 17, 2025.

Respectfully submitted,

/s/ Dennis J. Burke

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