

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

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IN THE SUPREME COURT OF THE UNITED STATES

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SHAWN EDWARD SHAFFER,

*Applicant*

vs.

RAYMOND MADDEN, Warden,

*Respondent*

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On Petition for Writ of Certiorari to the  
United States Court of Appeals for the Ninth Circuit

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**APPLICATION TO THE HONORABLE ELANA KAGAN FOR  
AN EXTENSION OF TIME WITHIN WHICH TO FILE  
A PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

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**David M. Murphy**  
*Counsel of Record for Applicant*  
*Shawn Edward Shaffer*  
**Murphy & Fink LLP**  
**466 Foothill Blvd, #430**  
**La Canada, CA 91011**  
**310-788-9088**  
[\*\*david@murphyfink.com\*\*](mailto:david@murphyfink.com)

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## APPLICATION

To the Honorable Elana Kagan, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Ninth Circuit:

Pursuant to Supreme Court Rule 13.5, Applicant hereby requests that Justice Elana Kagan, Justice for the Ninth Circuit, extend the time for filing a petition for writ of certiorari for a period of 60 days from September 7, 2025 up to and including November 6, 2025. The current filing deadline is September 7, 2025.

1. Applicant is serving a sentence of 81 years and 4 months to life as a result of his conviction in the Superior Court for the State of California, County of Riverside, Case No. RIF1501703.

2. After exhausting his state remedies, Applicant filed a Petition for Writ of Habeas Corpus in the United States District Court for the Central District of California [District Court Docket No. CV 22-2451 SPG (MRW)] in which Petitioner raised claims of insufficiency of evidence, ineffective assistance of trial counsel, and deprivation of due process, and on March 14, 2024 the petition was denied, a certificate of appealability was denied and judgment was entered dismissing the Petition. Applicant timely filed a Notice of Appeal.

3. On April 22, 2025 the United States Court of Appeals for the Ninth Circuit issued an Order denying Applicant's Request for a Certificate of Appealability in *Shaffer v. Madden*, Docket No. 24-2343, which is attached as "Appendix A."

4. On May 5, 2025 Applicant filed a Motion for Reconsideration in the Ninth Circuit. On June 9, 2025 the Ninth Circuit issued an Order denying the Motion for Reconsideration, which is attached as “*Appendix B.*”

5. Petitioner intends to seek review of the Ninth Circuit’s denial of his Request for a Certificate of Appealability.

6. Pursuant to Supreme Court Rule 13.1, Applicant’s time for filing a petition for a writ of certiorari in this Court currently expires on September 7, 2025. This Application is filed more than 10 days prior to that date.

7. This Court has jurisdiction pursuant to 28 U.S.C. §1254(1).

8. An extension of time is necessary for Counsel to adequately prepare the petition following the denial of a certificate of appealability as to significant constitutional issues raised by Applicant.

9. Due to unforeseen personal circumstances pertaining to Counsel and unexpected obligations in other matters which Counsel is required to address due to a medical issue with Counsel’s business partner which was not known until July 7, 2025, Counsel is not able to complete and file the petition by the current deadline of September 7, 2025.

10. Respondent will not be prejudiced by the requested extension.

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**WHEREFORE**, for the foregoing reasons, Applicant requests that an extension of time to and including November 6, 2025 be granted within which Applicant may file a petition for a writ of certiorari in this Court.

Dated: July 14, 2025

Respectfully submitted,

s/ David M. Murphy

David M. Murphy

Murphy & Fink LLP

466 Foothill Blvd, #430

La Canada, CA 91011

310-788-9088

[david@murphyfink.com](mailto:david@murphyfink.com)

*Counsel of Record for Applicant*

*Shawn Edward Shaffer*