

No. 25-A-_____

In The
SUPREME COURT OF THE UNITED STATES

Robert Stewart Alderton,
Applicant/Petitioner,

v.

Michigan,
Respondent.

Application for an Extension of Time Within Which
to File a Petition for Writ of Certiorari

**APPLICATION TO THE HONORABLE JUSTICE
BRETT M. KAVANAUGH AS THE CIRCUIT
JUSTICE**

Counsel for Applicant/Petitioner:

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APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Robert Stewart Alderton requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Monday, September 22, 2025.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is *People v Robert Stewart Alderton*, Michigan Supreme Court No. 166825 (April 25, 2025) (attached as Exhibit 1).

JURISDICTION

This Court will have jurisdiction over any timely-filed petition for certiorari in this case pursuant to 28 U.S.C. §1254 (1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for writ of certiorari is due to be filed on or before July 24, 2025. In accordance with Rule 13.5, this application being filed within 10 days before that due date.

REASONS JUSTIFYING AN EXTENSION OF TIME

Mr. Alderton respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the Supreme Court of the State of Michigan in this case, up to and including Monday, September 22, 2025, for the following reasons:

1. Mr. Alderton is represented by the State Appellate Defender Office, Michigan's only appellate public defender office. He is convicted of first-degree murder and serving life in prison without the possibility of parole.

2. The extension of time is necessary because the Michigan Supreme Court remanded Mr. Alderton's case to the Michigan Court of Appeals for reconsideration on other issues. Counsel has since drafted and filed a supplemental brief and motion for oral argument in the Michigan Court of Appeals in this matter.

3. The extension of time is also necessary because of the press of business for other clients in a busy public defender office that covers the entire state. Counsel has filed substantive pleadings and appeared in court for several other clients.

4. A 60-day extension for Mr. Alderton would allow counsel the necessary amount of time to effectively contribute to all open matters including the instant case, including allowing for sufficient time for research and drafting efforts for the forthcoming petition for certiorari.

CONCLUSION

For the foregoing reasons, Mr. Alderton respectfully requests that this Court grant an extension of 60 days, up to and including September 22, 2025, within which to

file a petition for a writ of certiorari in this case.

Respectfully submitted,

Counsel for Applicant/Petitioner



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Dated: July 14, 2025

Order

Michigan Supreme Court
Lansing, Michigan

April 25, 2025

Megan K. Cavanagh,
Chief Justice

166825

Brian K. Zahra
Richard H. Bernstein
Elizabeth M. Welch
Kyra H. Bolden
Kimberly A. Thomas,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 166825
COA: 356493
Wayne CC: 19-004601-FC

ROBERT STEWART ALDERTON,
Defendant-Appellant.

_____/

On order of the Court, the application for leave to appeal the January 18, 2024 judgment of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE Part II of the judgment of the Court of Appeals regarding whether the trial court erred by admitting into evidence certain statements made by the victim. We REMAND this case to the Court of Appeals for reconsideration of whether the verified statements in support of the petition for a personal protection order were testimonial in light of *People v Washington*, 514 Mich ___, ___ (July 26, 2024) (Docket No. 165296); slip op at 8, and whether the victim's statements to his girlfriend and other children were admissible under MRE 803(3) in light of this Court's January 22, 2025 order in *People v Propp*, ___ Mich ___ (2025) (Docket No. 164313). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.



s0422

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 25, 2025

Clerk