

No. 17-A-____

IN THE
Supreme Court of the United States

JIMMIE GORDON

Petitioner,

v.

BLAINE LAFLER, WARDEN

Respondent.

**APPLICATION OF JIMMIE GORDON FOR AN EXTENSION OF
TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO
THE U.S. COURT OF APPEALS FOR THE SIXTH CIRCUIT**

To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States and Circuit Justice for the United States Court of Appeals for the Sixth Circuit:

1. Pursuant to Supreme Court Rules 13.5, 22, and 30, Applicant Jimmie Gordon respectfully requests a 59-day extension of time, up to and including April 6, 2018, to file a petition for a writ of certiorari to the Sixth Circuit, seeking review of that court's order affirming the denial of Mr. Gordon's habeas petition.

2. The Sixth Circuit originally affirmed the district court's decision on July 5, 2017. Mr. Gordon timely filed a petition for panel rehearing and rehearing en banc. On September 26, 2017, the panel amended its opinion but still affirmed the district court's judgment. That opinion is attached as Exhibit A. Mr. Gordon again timely requested rehearing en banc, but that request was denied on November 8, 2017. That order is attached as Exhibit B. The jurisdiction of this

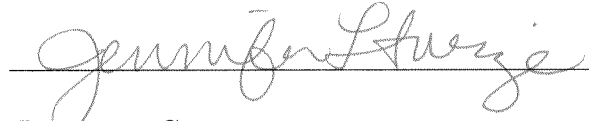
Court in this case will be invoked under 28 U.S.C. § 1254(1), and the time to file a petition for a writ of certiorari will otherwise expire on February 6, 2018. This Application for Extension of Time is timely because it has been filed on January 16, 2018, more than ten days prior to the date on which the time for filing the petition is to expire.

3. Applicant has good cause for an extension of time. Jeffrey Johnson—who was appointed counsel of record below pursuant to the Criminal Justice Act and who will be chiefly responsible for drafting Mr. Gordon’s petition for certiorari—is one of the principal drafters of the respondent’s brief on the merits in *Lozman v. City of Riviera Beach*, No. 17-21 (U.S.). That brief is currently due on January 26, 2018. Mr. Johnson is also one of the principal drafters of the respondent’s brief in *Sveen v. Melin*, No. 16-1432 (U.S.). That brief will likely be due on February 21, 2018. Additionally, Mr. Johnson will be the principal drafter of Sirius XM’s opposition to class certification in *Buchanan v. Sirius XM Radio Inc.*, No. 17-cv-728 (N.D. Tex.). Sirius XM’s opposition is due on March 29, 2018. An extension of time will allow Mr. Johnson to properly prepare Mr. Gordon’s petition for certiorari while fulfilling his obligations to other clients as well.

WHEREFORE, Applicant respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari for 59 days, to and including April 6, 2018.

Dated: January 16, 2018

Respectfully submitted,

A handwritten signature in cursive script, reading "Jennifer Swize", is written over a horizontal line.

JENNIFER SWIZE

Counsel of Record

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