

**CAPITAL CASE**

**17-**

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**In The**

**SUPREME COURT OF THE UNITED STATES**

**October Term 2017**

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**James K. Kahler,**  
*Applicant/Petitioner,*

**v.**

**Kansas,**  
*Respondent.*

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**Application for an Extension of Time Within  
Which to File a Petition for a Writ of Certiorari to the  
Supreme Court of the State of Kansas**

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**APPLICATION TO THE HONORABLE JUSTICE  
SONIA SOTOMAYOR AS CIRCUIT JUSTICE**

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MERYL CARVER-ALLMOND  
CLAYTON PERKINS  
CAPITAL APPELLATE DEFENDER  
700 SW Jackson Street, Suite 903  
Topeka, KS 66603  
(785) 291-3207

JEFFREY T. GREEN \*  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, D.C. 20005  
(202) 736-8000  
jgreen@sidley.com

SARAH O'ROURKE SCHRUP  
NORTHWESTERN SUPREME  
COURT PRACTICUM  
375 East Chicago Avenue  
Chicago, IL 60611  
(312) 503-0063

June 29, 2018

**Attorneys for Applicant/Petitioner**  
\*Counsel of Record

## **APPLICATION FOR AN EXTENSION OF TIME**

Pursuant to Rule 13.5 of the Rules of this Court, Applicant James Kahler hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, September 28, 2018.

### **JUDGMENT FOR WHICH REVIEW IS SOUGHT**

The judgment for which review is sought is *Kansas v. James K. Kahler*, No. 106,981 (February 9, 2018) (attached as Exhibit 1). The Supreme Court of the State of Kansas denied Applicant's motion for rehearing or modification on May 1, 2018 (attached as Exhibit 2).

### **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 a writ of certiorari was due to be filed on or before July 30, 2018. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

### **REASONS JUSTIFYING AN EXTENSION OF TIME**

Applicant 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 Kansas in this case, up to and including September 28, 2018.

1. Applicant has requested that the Northwestern University School of Law Supreme Court Practicum assist in the preparation of his petition. An extension of time will permit the students the time necessary to complete a cogent and well-researched petition.

2. Counsel would not usually ask for a 60-day extension request, but does so in order to allow the Northwestern Practicum adequate time to research and complete the petition after the beginning of the academic calendar for fall 2018, which begins August 27, 2018.

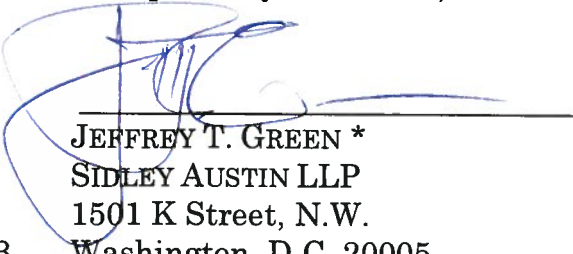
3. The extension of time is also necessary because of the press of other client business. For example, in the coming months, the Northwestern Practicum has several overlapping commitments representing other clients in this Court, including petitions for writs of certiorari in *Malone v. United States* (No. 18-) and *Rivera-Ruperto v. United States*, (No. 18-), and reply briefs in *Arjune v. New York* (No. 17-8587) and *Dixon v. United States* (No. 17-8853). Mr. Green is also appointed counsel in three D.C. Court of Appeals cases currently briefing and/or preparing for oral argument (*Johnson v. United States*, No. 13-CF-493; *Walker v. United States*, Nos. 14-CF-839 and 14-CF-840; and *General v. United States*, No. 16-CF-0822) and has ongoing litigation in the District Court for the District of Columbia. A 60-day extension for the Applicant would allow Mr. Green the necessary amount of time to effectively contribute to all open matters including Applicant's petition as well as his other client business abroad, and would also allow the Northwestern Practicum students sufficient time for research and drafting efforts per Applicant's request.

## CONCLUSION

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days, up to and including September 28, 2018, within which to file a petition for a writ of certiorari in this case.

Respectfully submitted,

MERYL CARVER-ALLMOND  
CLAYTON PERKINS  
CAPITAL APPELLATE DEFENDER  
700 SW Jackson Street, Suite 903  
Topeka, KS 66603  
(785) 291-3207



JEFFREY T. GREEN \*  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, D.C. 20005  
(202) 736-8000  
jgreen@sidley.com

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