

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

Seventh Circuit Appeal No. 22-2268

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IN THE  
SUPREME COURT OF THE UNITED STATES

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GILBERT BICKNELL,

*Petitioner,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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

**EXHIBIT A – AFFIDAVIT OF COUNSEL**

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**AFFIDAVIT OF ADAM STEVENSON  
IN SUPPORT OF APPLICATION FOR EXTENSION OF TIME TO  
PETITION FOR A WRIT OF CERTIORARI**

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I submit this affidavit in support of Gilbert Bicknell's Application for  
Extension of Time to File Petition for a Writ of Certiorari:

1. On August 25, 2022, pursuant to the Criminal Justice Act of 1964, the Court of Appeals for the Seventh Circuit ("Court of Appeals") appointed me to represent Gilbert Bicknell, in his direct appeal arising out of the District Court for the Central District of Illinois ("District Court"). (Exhibit B.) Mr. Bicknell is in federal custody at FCI Terre Haute. His projected release date is currently December 30, 2031.
2. On July 19, 2023, the Court of Appeals issued its opinion affirming Mr. Bicknell's sentence. (Exhibit C.)

3. Mr. Bicknell then timely filed a petition for rehearing and suggestion for rehearing *en banc*. On August 30, 2023, the Court of Appeals denied that petition. (Exhibit D.)
4. In its opinion, the Court of Appeals held that the Government's failure to disclose the cooperation plea agreement of a testifying co-defendant at sentencing was not a *Brady/Giglio* violation. (Exhibit C.)
5. There is at a minimum a reasonable prospect that this Court will grant *certiorari* and potentially reverse the decision of the Court of Appeals. The issue in this case involves the Court's *Brady* precedent. Specifically, this case involves questions relating to the standards for Brady violations having to do with the ultimate non-capital sentencing decisions of trial courts.
6. In addition, Mr. Bicknell's case also features matters related to inconsistent factual findings between the district court's Guidelines rulings and its sentencing rationale under 18 U.S.C. § 3553(a).
7. Counsel has in the past been, and currently is, engaged in other litigation currently in ongoing briefing. This work includes briefing in *United States v. Marcus Dixon*, Seventh Circuit Appeal No. 23-2427 and *United States v. Eric Rowe*, Seventh Circuit Appeal No. 23-2646. Counsel has also been preparing for an October 24, 2023, oral argument in *United States v. Bryant Aron*, Seventh Circuit Appeal No. 22-2364. Depending on the outcome of that case, counsel anticipates further

filings being necessary in that appeal. These cases are in addition to several other legal matters while running a federal postconviction law school clinic and directing the University of Wisconsin Law School's prison-based clinical programs.

8. In addition to other casework, counsel is not a full-time practicing attorney, and is instead the director of a legal clinic at the University of Wisconsin Law School and classroom criminal law instructor in the fall. Due to the educational nature and structure of the project and counsel's work directing it, counsel has additional time commitments in addition to, and apart from, litigation. Though not itself a basis for an extension given the general time commitments of members of the bar, in combination with the casework listed above, these matters demonstrate the need for additional time to effectively represent Mr. Bicknell's interests before this Court.
9. Mr. Bicknell is aware of the possibility that counsel would need to file such a motion for an extension of time to petition the Court. Mr. Bicknell has no objections to requesting a 60-day extension.
10. There is no prejudice to the respondent by the granting of this motion, which would serve justice and the public interest.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 15<sup>th</sup> day of Oct., 2023.



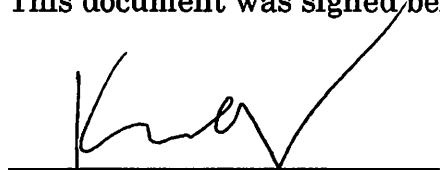
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Attorney for Petitioner,  
GILBERT BICKNELL

State of Wisconsin  
County of Dane

This document was signed before me on 10/25/23 by Adam Stevenson



Name:  
Notary Expiration Date: N/A (life)

NOTARY STAMP/SEAL

