

No. A

In the Supreme Court of the United States

KEITH M. WILKINS

Applicant,

v.

STEVE HERRON, CHAD LOWE, STEVEN COOK, PAUL DEAN,
BEND-LAPINE ADMINISTRATIVE SD 1,

Respondents.

To the Honorable Elena Kagan,
Associate Justice of the United States and
Circuit Justice for the Ninth Circuit

**APPLICATION TO EXTEND THE TIME TO FILE A
PETITION FOR A WRIT OF *CERTIORARI***

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RULE 29.6 STATEMENT

Applicant is a natural person.

APPLICATION TO EXTEND THE TIME TO FILE A PETITION FOR A
WRIT OF *CERTIORARI*

To the Honorable Associate Justice Elena Kagan, as Circuit Justice for the United States Court of Appeals for the Ninth Circuit:

Pursuant to Supreme Court Rule 13(5), Keith Wilkins (“Applicant”) hereby respectfully apply for an extension of 58 days—to and including June 27, 2025—of the time within which to petition for a writ of *certiorari*. Unless an extension is granted, the deadline for filing the petition for certiorari will be April 30, 2025. Applicant files this application more than ten days prior to the current deadline.

In support of this request, Applicant states as follows:

1. In a memorandum dated December 23, 2024 (App. 1a), the United States Court of Appeals for the Ninth Circuit affirmed the dismissal of this action because Wilkins failed to state a claim that Defendants violated Section 564 of the Food, Drug, and Cosmetic Act (App:2a-4a), Wilkins failed to state a *Monell* claim (App:4a-5a), and Defendants were entitled to qualified immunity (App:5a-8a). The Ninth Circuit denied Applicant’s petition for rehearing on January 30, 2023. (App:9a). This Court has jurisdiction under 28 U.S.C. § 1254(1).

2. Applicant’s counsel has competing professional obligations that have affected his ability to complete the petition for a writ of *certiorari* by the current deadline. The undersigned counsel is a solo practitioner who has had multiple active cases going through discovery, preparing for trial in three cases, recent and upcoming briefing in the Ninth Circuit, and multiple oral arguments scheduled in April and May.

3. The requested 58-day extension would not prejudice the respondents.

CONCLUSION

WHEREFORE, for the foregoing reasons, Applicant requests a 58-day extension—to and including June 27, 2025—of time within which Applicant may file a petition for a writ of *certiorari*.

Dated: April 18, 2025

Respectfully submitted,

s/ Stephen J. Joncus

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CERTIFICATE AS TO FORM

Pursuant to Sup. Ct. Rules 22 and 33, I certify that the foregoing application is proportionately spaced, has a typeface of Century Schoolbook, 12 points, and contains 2 pages (and 300 words) respectively, excluding this Certificate as to Form, the Table of Contents, and the Certificate of Service.

Dated: April 18, 2025

Respectfully submitted,

s/ Stephen J. Joncus

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