

CASE NO. _____
IN THE SUPREME COURT OF THE UNITED STATES

MALIK ALLAH-U-AKBAR, f/k/a ODRAYE JONES,
Petitioner,

v.

MARGARET BRADSHAW, WARDEN,
Respondent.

APPLICATION TO THE HONORABLE BRETT M. KAVANAUGH
FOR AN EXTENSION OF TIME TO FILE A
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

PETITIONER, Malik Allah-u-Akbar, f/k/a Odraye Jones, through undersigned counsel, respectfully moves for an extension of forty-five days to prepare and file his Petition for Writ of Certiorari to the United States Court of Appeals for the Sixth Circuit. In support of this request, Mr. Akbar respectfully submits:

1. On October 9, 2025, the United States Court of Appeals for the Sixth Circuit affirmed the denial of sanctions against the State of Ohio in connection with the grant of a writ of habeas corpus pursuant to 28 U.S.C. §2254. Case No. 24-3581; Doc. 48-2. A Petition for Writ of Certiorari will be filed to seek this Court's review of the Sixth Circuit's judgment.

2. This Court has jurisdiction pursuant to 28 U.S.C. §1254(1). Mr. Akbar's certiorari petition is currently due on January 7, 2026. *See* Sup.Ct.R. 13.1. This request is made at least ten days in advance of the current due date. *See* Sup.Ct.R. 13.5.

3. Mr. Akbar was first sentenced to death over twenty-eight years ago. His capital case presents complex legal issues and several of first impression. It involves over twenty years of

proceedings in the federal courts alone. Though he successfully obtained habeas relief, his is the only case counsel can identify where a State failed to timely comply with both a conditional and unconditional writ of habeas corpus. Counsel requires additional time to appropriately address this unprecedented situation.

4. Moreover, this request is being made because of counsels' heavy workload. Mr. Akbar's lead counsel, as well as undersigned counsel, has been responsible for multiple evidentiary hearings in capital cases in November and December. Counsel's six-attorney unit also represented a client with a November 13, 2025, execution date. Counsel's important work further was disrupted by a federal government lapse in appropriations. Finally, Mr. Akbar's lead counsel has a planned vacation—her only of the year—during the Christmas holiday.

5. Under these circumstances, counsel respectfully requests that the Court grant this Motion and extend the time in which to file the Petition for Writ of Certiorari by forty-five days, until February 23, 2026.

6. The granting of this request shall cause no prejudice to the Respondent.

7. This request is made in good faith and is not predicated on an intent to delay the resolution of this litigation.

For the foregoing reasons, counsel for Mr. Akbar hereby requests that an extension of time to and including February 23, 2026, be granted within which counsel may file a petition for writ of certiorari.

Respectfully submitted,



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Counsel of Record for Malik Allah-U-Akbar
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Dated: December 23, 2025