

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

JWAN HARDIN

Applicant

v.

STATE OF INDIANA,

Respondent.

**CORRECTED APPLICATION FOR EXTENSION OF TIME TO FILE
A PETITION FOR A WRIT OF CERTIORARI
TO THE INDIANA COURT OF APPEALS**

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Counsel of Record

Counsel for Applicant

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**To the Honorable Justice Amy Coney Barrett, as Circuit Justice for the
United States Court of Appeals for the Seventh Circuit:**

Pursuant to 28 U.S.C. Section 2101 (d), the Applicant, Jwan Hardin, respectfully requests a 60-day extension of time, to and including December 15, 2025, to file a petition for a writ of certiorari. In support of this application, the Applicant states:

1. This submission serves to correct the Proof of Service which accompanied the original filing in which undersigned counsel failed to specify that the documents mailed to the Clerk of this Court and to opposing counsel, via U.S. mail, were sent by certified mail, return receipt requested, first class postage affixed. Further, the Proof of Service attached to this document informs the

Court that opposing counsel was served electronically with said Application via e-mail on September 22, 2025.

2. The remainder of this document, except for the Proof of Service and Certificate of Mailing, is identical to the document previously submitted.
3. The court to which certiorari would be directed is the Indiana Court of Appeals, which is within the region covered by the Seventh Circuit Court of Appeals. This Court has jurisdiction to review the judgment of the Indiana Court of Appeals under 28 U.S.C. Section 1257(a).
4. The state appellate court issued a decision affirming the Elkhart County Indiana Circuit Court's denial of Hardin's claims for post-conviction relief in an unpublished decision. *Jwan L. Hardin v. State of Indiana*, No. 24A-PC-579, 2025 WL 380231 (Ind.Ct.App. February 3, 2025). Hardin sought transfer to the State's highest court. The Indiana Supreme Court entered an order denying transfer by a three to two vote. *Hardin v. State*, No. 24A-PC-579, (Ind.) 255 N.E.3d 445 (Table) July 15, 2025. Copies of the Court of Appeals' Opinion and the Indiana Supreme Court's Order Denying Transfer are attached to this Application.
5. Absent an extension of time, the petition for a writ of certiorari would be due on October 14 because the 90th day after the adverse ruling by the State's highest court is Columbus Day, a federal holiday. This application is being filed more than 10 days before that date.

6. Undersigned counsel represents Hardin *pro bono* in this, her first petition seeking a writ of certiorari. Hardin is 26 years old, has spent over 10 years in prison with 27 more ahead of him. Neither he, his mother or grandfather are financially able to retain an attorney with experience in this Court.
7. Due to undersigned counsel's inability to procure more experienced counsel to represent Hardin at this stage, counsel is learning the process as she goes and is reliant upon help from other, more seasoned attorneys, who have their own deadlines to meet. Counsel is preparing for a parole hearing scheduled for November 3. Though otherwise retired from the practice of law, counsel must still meet the ongoing demands of her family, including significant time spent providing childcare for her three young grandchildren, as promised upon her retirement.
8. Consequently, counsel is in need of additional time to file the petition in this case which addresses an important question, as yet unanswered by this Court: whether an attorney's representation violates the Fifth, Sixth and Fourteenth Amendments to the United States Constitution by withholding from a client information relative to trial and sentencing strategies consistent with the client's objectives but contrary to counsel's preferred course of action, resulting in a guilty plea that is neither knowing nor voluntary.
9. The Applicant is requesting an extension of time so that the question described above may be properly presented to the Court.

CONCLUSION

Wherefore, the Applicant, Jwan Hardin, respectfully requests a 62-day extension of time, to and including December 15, 2025, to file a petition for a writ of certiorari. (Sixty days from October 14 falls on Saturday, December 13.)

Dated this 23rd day of September, 2025.

Respectfully submitted,


Vickie Yaser
Counsel of Record

AMENDED PROOF OF SERVICE AND CERTIFICATE OF MAILING

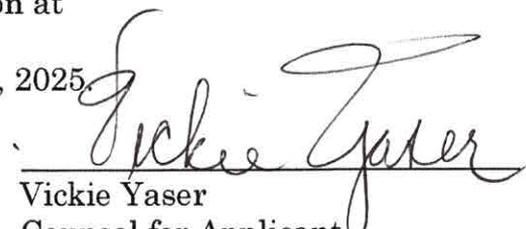
I hereby certify that on the 18th day of September, 2025, I mailed one original and two copies of the APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE INDIANA COURT OF APPEALS to the Clerk of the United States Supreme Court, One First Street, North East, Washington, D.C. 20543, pursuant to Supreme Court Rule 29, by certified mail, return receipt requested, designating said method of filing as of the time of mailing, in the United States Mail, first class postage affixed. I also certify that I electronically submitted the document on the Court's e-filing portal on September 18, 2025.

I further certify that on the 18th day of September, 2025, I served upon Mr. Theodore Edward Rokita, Attorney General for the State of Indiana, and Ms. Carolyn Templeton, Supervising Deputy Attorney General who represented the

State of Indiana in the Indiana Court of Appeals, copies of the APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR WRIT OF CERTIORARI TO THE INDIANA COURT OF APPEALS by certified mail, return receipt requested, first class postage affixed to their office located at 302 W. Washington St., 5th Floor, Indianapolis, IN 46204-2770. I also certify that an electronic copy was served upon Ms. Templeton at Caroline.Templeton@atg.in.gov on September 22, 2025.

I further certify that I have, on this 23rd day of September, 2025, mailed one original and two copies of the foregoing CORRECTED APPLICATION FOR EXTENSION OF TIME TO FILE A PETITION FOR WRIT OF CERTIORARI TO THE INDIANA COURT OF APPEALS by certified mail, return receipt requested, first class postage affixed to the Clerk of the United States Supreme Court, One First Street, North East, Washington, D.C. 20543, pursuant to Supreme Court Rule 29, and by submission on the Court's electronic portal; one copy upon Mr. Todd Rokita and Ms. Caroline Templeton of the Indiana Attorney General's Office, by certified mail, return receipt requested, first class postage affixed to their office located at 302 W. Washington St., 5th Floor, Indianapolis, IN 46204-2770; and that an electronic copy was served upon Ms. Templeton at

Caroline.Templeton@atg.in.gov on September 23, 2025.



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