

OCTOBER TERM 2025

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

RODERICK LeSHUN RANKIN,

Petitioner,

v.

DEXTER PAYNE, DIRECTOR,
ARKANSAS DIVISION OF CORRECTION,

Respondent.

APPLICATION FOR EXTENSION OF TIME
TO FILE PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

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DATED: NOVEMBER 3, 2025

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TO THE HONORABLE BRETT M. KAVANAUGH, Associate Justice of the Supreme Court and Circuit Justice for the United States Court of Appeals for the Eighth Circuit:

1. Pursuant to Rule 13.5 of the Rules of this Court, Petitioner Roderick LeShun Rankin, through undersigned counsel, respectfully moves for an extension of sixty days to prepare and file a Petition for Writ of Certiorari to the United States Court of Appeals for the Eighth Circuit.

2. Petitioner seeks certiorari review of the Eighth Circuit's opinion and judgment affirming the judgment of the United States District Court for the

Eastern District of Arkansas, which denied habeas corpus relief in this Arkansas death-penalty case.

3. The Eighth Circuit issued its opinion and judgment on June 20, 2025, and it denied Petitioner's timely petition for rehearing on August 26, 2025. Copies of the Eighth Circuit's opinion, judgment, and rehearing order are attached as Appendices A, B, and C, respectively.

4. Petitioner invokes the jurisdiction of this Court pursuant to 28 U.S.C. § 1254(1). Petitioner's certiorari petition is currently due on November 24, 2025. *See* Sup. Ct. R. 13.3. In accordance with this Court's rules, Petitioner makes this request at least ten days in advance of the current due date. *See* Sup. Ct. R. 13.5.

5. Petitioner's case presents complex and important questions, including the scope of evidence that a federal habeas court should consider under the actual-innocence gateway of *Schlup v. Delo*, 513 U.S. 298 (1995). Petitioner requests additional time to present the issues fully but concisely to this Court. Petitioner also requests additional time in light of counsel's competing obligations in other death-penalty cases, including *Abdullah v. Richardson*, No. 1:17-cv-00098-BLW (D. Idaho) (193-page opposition to motion to dismiss filed Sept. 19, 2025); *Corrothers v. Cain*, No. 3:25-CV-287-DMB (N.D. Miss.) (habeas corpus petition filed Oct. 31, 2025, with AEDPA deadline of Nov. 3, 2025); *Marinelli v. Beard*, No. 07-CV-173 (M.D. Pa.) (briefing following Commonwealth's Partial Withdrawal of Opposition to habeas corpus relief); and *Gutierrez v. Saenz*, No. 21-70009 (5th Cir.) (DNA-related due process claim, on remand from this Court; supplemental brief due Nov. 7, 2025).

WHEREFORE, Petitioner prays that the Court allow a sixty-day extension of time for the preparation and filing of his Petition for Writ of Certiorari to the United States Court of Appeals for the Eighth Circuit, so that said Petition would be due for filing on January 23, 2026.

Respectfully submitted,

/s/ Joseph W. Luby
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Dated: November 3, 2025