App #

In The
Supreme Court of the United States

JOSEPH RODNEY DOLE II,

Petitioner,

v.

DAVID GOMEZ,

Respondent.

Application for Extension of Time to File a
Petition for Writ of Certiorari to the
United States Court of Appeals for the Seventh Circuit

To the Honorable Amy Coney Barrett, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Seventh Circuit:

Petitioner, Joseph Dole, seeks a 47-day extension of time to file a Petition for a Writ of Certiorari. The Petition is currently due to be filed by November 25, 2026. Petitioner requests that this date be extended to Monday, January 11, 2027.

In April, 2000, Mr. Dole was convicted in Illinois of two counts of murder and aggravated kidnapping and sentenced to life in prison without possibility of parole. Dole has continually maintained his innocence. After exhausting his appeals in the Illinois Appellate Court, Dole, acting *pro se*, filed a 57-page handwritten Petition for Writ of Habeas Corpus with the District Court, asserting due process and *Brady* claims. Federal jurisdiction is under 28 U.S.C. § 2254. On October 21, 2021, the District Court dismissed Dole's Petition as untimely and denied a certificate of appealability. Dole, acting through undersigned counsel, filed a notice of appeal. On December 8,

2021, Dole filed a Request for a Certificate of Appealability ("COA"). This request was denied four-and-a-half years later, on August 27, 2026. CA7 Dkt. 7, attached hereto as Exhibit A.

Dole now seeks to file a petition for writ of *certiorari*, arguing that the Seventh Circuit placed too high of a burden on Dole at the COA stage, in conflict with this Court's decision in *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); and that it is at least debatable among jurists of reason that his habeas petition was timely filed and that he should be allowed to proceed with his appeal.

Because of the importance of the issues involved in this case and counsels' other professional commitments this winter, Petitioner respectfully requests a 47-day extension of time to file his Petition. In particular, undersigned counsel just completed drafting and filing the opening brief in *United States v. Glucksmann*, No. 22-3276 (7th Cir.). Counsel is also currently preparing pre-trial motions in *United States v. Cagle*, No. 5:26-cr-00016 (N.D. Alabama); and a petition for writ of certiorari in *United States v. Yeshitela et al* No. 24-14097 (11th Cir.) (petition for *en banc* rehearing denied 10/07/2026).

Petitioner is not requesting this extension for purposes of delay.

WHEREFORE, Petitioner respectfully request that an order be granted extending his time to file a Petition for a Writ of Certiorari to and including Monday, January 11, 2027.

Respectfully Submitted,
/s/ Leonard C. Goodman
LEONARD C. GOODMAN
Counsel for Applicant

No.

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CERTIFICATE OF SERVICE

Leonard C. Goodman, a member of the bar of the Supreme Court of the United States, certifies that on the 12th day of November 2026, he filed an original and three copies of the attached request with the Clerk of the Supreme Court of the United States, and that he served a copy of this request on each party to the above proceeding, or that party's counsel, and on every other person required to be served by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid.

The names and addresses of those served are as follows:

Office of the Illinois Attorney General
100 West Randolph Street
13th Floor
Chicago, IL 60601

Joseph R. Dole; K84446
Hill Correctional Center
600 South Linwood Road
Galesburg, IL 61401

/s/ Leonard C. Goodman
LEONARD C. GOODMAN

EXHIBIT A

Order from the Seventh Circuit Court of Appeals Denying Certificate of Appealability

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted June 11, 2026
Decided August 27, 2026

Before

DAVID F. HAMILTON, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

No. 21-3130

JOSEPH R. DOLE II,
Petitioner-Appellant,

v.

DAVID GOMEZ,
Respondent-Appellee.

Appeal from the United States District Court for the Northern District of Illinois, Eastern Division.

No. 15 C 11874

Jorge L. Alonso,
Judge.

O R D E R

Joseph Dole has filed a notice of appeal from the denial of his petition under 28 U.S.C. § 2254 and an application for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

Accordingly, the request for a certificate of appealability is DENIED.