

No. \_\_\_\_\_

Capital Case  
No Pending Execution Date

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IN THE SUPREME COURT OF THE UNITED STATES

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RAYMOND ANTHONY LEWIS,  
Petitioner,  
v.  
BRIAN D. PHILLIPS, Warden,  
Respondent.

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On Petition for Writ of *Certiorari* to the  
United States Court of Appeals for the Ninth Circuit

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**PETITIONER'S APPLICATION TO EXTEND TIME SIXTY DAYS, FROM  
NOVEMBER 4, 2024, TO JANUARY 3, 2025,  
TO FILE PETITION FOR WRIT OF CERTIORARI**

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RAYMOND ANTHONY LEWIS

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

Pursuant to this Court's Rules 13.5, 22, 30.2, and 30.3, Petitioner Raymond Anthony Lewis respectfully requests that the time to file its Petition for Writ of Certiorari in this matter be extended for 60 days up to and including January 3, 2025. The Court of Appeals issued its opinion on March 12, 2024, Appendix A, and denied rehearing and rehearing en banc by order on August 6, 2024, Appendix B. Absent an extension of time, the Petition for Writ of Certiorari would be due on November 4, 2024. Petitioner is filing this Application more than ten days before

that date. *See* S. Ct. R. 13.5. This Court would have jurisdiction over the judgment under 28 U.S.C. 1254(1).

This is a capital habeas corpus case brought under 28 U.S.C. § 2254.

This request is made for the following reasons:

1. Undersigned counsel is a supervising attorney at the Federal Defender's Office for the Eastern District of California. I am the direct supervisor of the team that has been working on this case both at the district court and the Ninth Circuit. I am filing this request because none of the attorneys on the team are barred before this Court.
2. I make this request because to be able to adequately supervise a petition that will have my name on it, I will need more time. Given my other responsibilities—both case-related and managerial—I cannot adequately represent Mr. Lewis in the time currently allotted. I am asking for the maximum extension because I need to learn the operative portions of the record, and then I will need to coordinate with the members of Mr. Lewis's case team about what might be the best issue or issues to bring before the Court.
3. I did have occasion to learn some of the record in 2022. This was related to a request by the Ninth Circuit to resubmit the briefing with new excerpts of record. My focus then was on one set of claims rather than

- the whole of the case before the circuit court. Recently, as time has allowed, I have been familiarizing myself with the entire operative record. I would note that the extensive research the case team has done so far is on a claim I am wholly unfamiliar with both legally and factually.
4. I have consulted with counsel for Respondent, Jeffrey Firestone, and he has no objection to this request. Moreover, there is no pending execution warrant, nor will there be anytime soon.
  5. To conclude, this is Mr. Lewis's last chance to litigate his sentence of death within the regular course of his appeals. I therefore request adequate time to professionally assist/supervise his representation.

### **CONCLUSION**

Petitioner, for the above reasons, hereby requests a 60-day extension to file his petition for certiorari until January 3, 2025.

Dated: October 21, 2024

Respectfully submitted,

HEATHER E. WILLIAMS  
Federal Defender

*s/ David H. Harshaw III*  
DAVID H. HARSHAW III  
Assistant Federal Defender

Attorneys for Petitioner  
RAYMOND ATHONY LEWIS