

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

---

IN THE SUPREME COURT OF THE UNITED STATES

---

BRUCE ALEXANDER,

*Petitioner,*

vs.

UNITED STATES OF AMERICA

*Respondent.*

---

**APPLICATION FOR A FOURTEEN (14) DAY EXTENSION OF TIME  
IN WHICH TO FILE PETITION FOR A WRIT OF CERTIORARI**

TO: THE HONORABLE BRETT M. KAVANAUGH., ASSOCIATE  
JUSTICE OF THE UNITED STATES SUPREME COURT, AND  
CIRCUIT JUSTICE FOR THE EIGHTH CIRCUIT:

Pursuant to Rule 13.5, Petitioner respectfully requests a fourteen (14) day extension of time in which to file his petition for a writ of certiorari in this Court, up to and including January 13, 2025. In support of this application, Petitioner states:

1. Petitioner, Bruce Alexander is currently serving a prison term of 216 months for possession with intent to distribute more than 400 grams of fentanyl. He intends to seek discretionary review in this Court, pursuant to 28 U.S.C. § 1254(1), of the judgment of the United States Court of Appeals for the Eighth Circuit affirming the judgment

and sentence of the trial court, and denying his appeal. *United States v. Alexander*, 114 F.4th 967 (8th Cir. 2024), decided August 23, 2024, rehearing denied September 30, 2024 (Attached).

2. Pursuant to Rule 13, Petitioner’s petition for a writ of certiorari is currently due on or before Monday, December 30, 2024.

3. In this petition, Petitioner intends to advance arguments surrounding the application of Federal Rule of Evidence 804(b)(3), and what the “corroborating circumstances” test requires in order for exculpatory prior statements of an unavailable codefendant to be admissible.

4. Mr. Alexander is indigent and is represented by undersigned appointed counsel pursuant to the Criminal Justice Act. During the period for filing this petition, undersigned counsel investigated, drafted, and filed, multiple motions in a post-conviction death penalty case (*Commonwealth v. William Harry Meece*), and traveled out of state for hearings on those motions. Counsel also filed post-hearing reply briefing on pretrial motions in *United States v. Kentrell Jones*, Objections to The Magistrate’s Report and Recommendation in *United States v. Damon Campbell*, a Motion for A Certificate of Appealability

in *Nathan v. Lewis, et.al*, extensive budget request in *United States v. Kentrell Jones* among other things. Counsel also filed a federal clemency petition for a client currently under a life sentence, and additionally participated in post-conviction proceedings in *Buechting v. State*. In addition to her appellate practice, counsel maintains a significant practice in the federal district court as well as some state court practice. In addition to these things, counsel therefore spends significant time reviewing extensive discovery, attending court, filing motions with regard to bond conditions and other pretrial matters and travelling to meet with incarcerated clients. Counsel is part of a two-person statewide law partnership and therefore, aside from case consultations, the bulk of the work she is doing is without the assistance of support staff, associates, or other attorneys. Additionally, counsel was out of state in early November for a number of days for the wedding of her nephew and godchild, and other family events surrounding that event.

5. Counsel is scheduled to have guests from out of town December 23-27 for the Christmas holiday and will be hosting family events at her home for Christmas. Counsel also has extensive Objections due on

December 26 in *United States v. Kentrell Jones*. There were multiple pretrial motions filed in that case and the objections are expected to be lengthy and complex, and due to certain issues specific to that case, counsel does not believe a continuance is likely. Counsel is also working on appellate brief in *United States v. Simpson*, which is a consolidated appeal of both a trial on new charges and a probation revocation and which counsel expects will be filed early next week. Due to these and other obligations, counsel does not believe counsel can effectively represent Mr. Alexander in a petition that would need to be filed by December 30<sup>th</sup>.

6. Petitioner has not previously petitioned this Court for an extension of time in which to file a petition for writ of certiorari.

6. The extension is being filed in good faith and to assure that Mr. Alexander's appointed counsel provides him effective assistance in all of his direct appeal proceedings, including the proceedings before this Court. It is not being filed for purposes of delay.

WHEREFORE, for the foregoing reasons, petitioner respectfully requests that Justice Kavanaugh, in his capacity as Circuit Justice for the Eighth Circuit, issue an order granting petitioner a fourteen (14)

day extension of time up to and including January 13, 2025, in which to file his petition for a writ of certiorari.

Respectfully Submitted,

/s/ Kathryn B. Parish

KATHRYN B. PARISH  
(Counsel of Record)  
Carlyle Parish LLC  
3407 Jefferson, #128  
Saint Louis, MO 63118  
(816) 525-6540