

No.

IN THE

Supreme Court of the United States

THOMAS BYRD LAWHON, JR.

Petitioner

v.

COUNTY OF OWEN

Respondent

MOTION FOR AN EXTENSION OF TIME
TO FILE A PETITION FOR CERTIOARI
TO THE SUPREME COURT OF KENTUCKY
2024-SC-0107-D

AFFIDAVIT OF SERVICE

Affiant, THOMAS BYRD LAWHON, JR., duly affirmed, states as follows:

1. I, am the movant and prospective petitioner in the Supreme Court of the United States case captioned above.
2. I served by way of commercial carrier for delivery within 3 days a true copy of the above-captioned motion for extension of time to:

Hon. Josh Smith, P.O. Box 1,
Owenton, Kentucky 40359,
Office at the old Owen County Courthouse,
Attorney for County of Owen

And original and two copies to the Clerk of the Supreme Court of the United States on Monday March 3, 2025.

3. The copy of the motion is timely filed under the Rules of the Supreme Court of the United States Rule 30.1, because although 10 days before the due date was March 2, 2025, and ten days before that is March 2, 2025, that date fell on a Sunday, and so the due date became March 3, 2025.

FURTHER AFFIANT SAITH NOT.

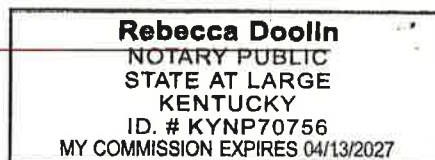
AFFIANT



Duly subscribed and affirmed before me, a notary public of
Owen County, Ky
on the 3rd day of March, 2025.

Rebecca Doolin

My commission expires _____



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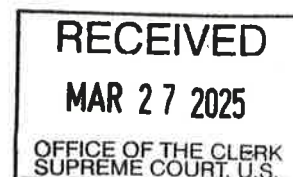
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AFFIDAVIT OF SERVICE FIRST AND SECOND SERVICE

Affiant, THOMAS BYRD LAWHON, JR., being duly affirmed, states as follows:

1. I, am the movant and prospective petitioner in the Supreme Court of the United States case captioned above.



2. I served by Federal Express the above captioned motion on March 3, 2025.
3. Said motion was placed into the care of a Federal Express site that is advertised under Federal Express in Lexington, Kentucky on March 3, 2025.
4. The Federal Express site was not the main headquarters for Lexington.
5. I had already gone to the Federal Express main site at 333 East Main Street in Lexington after narrowly missing serving the motion by mail at the Owenton, Kentucky U.S.P.S. post office, which closes at 4:30.
6. Federal Express at 333 East Main Street/ Lexington, Kentucky now closes at 5:00 P.M.
7. It is about 100 miles from Owenton, Kentucky.
8. The last time I used the Federal Express at 333 East Main Street several years ago, it closed at Midnight.
9. However, there were many other Federal Express sites listed online for Lexington, Kentucky, perhaps as many as 30.
10. I chose one and gave my motion to personnel at that site.
11. I first was served by a lady near retirement age, but probably younger than me, because I am 72 years old.
12. The use of a computer was necessary to make a label to go onto my Federal Express package.

13. Like many older Americans, the lady turned the matter over to a more tech savvy younger woman, perhaps in her later twenties or thirties.
14. This woman was experienced to preparing Federal express packages for mailing with the required labels on the outside.
15. This woman worked for around 2 hours trying to make the Federal Express application for a new account.
16. A new account was necessary if a customer did not already have an account with Federal Express, but to no avail.
17. The young woman even used her own phone number at the end to try to set up an account, and the application would not let her set up an account.
18. The young woman who had worked so hard and was even ready to be personally responsible financially for my account, but to no avail.
19. At last the young woman committed the motions into my hands as an agent/courier and charged me to take the motions from her Federal Express site to the main office in Lexington, Kentucky at 333 East Main Street after that other site opened on March 4, 2025.
20. I essentially assisted a transfer as a courier/agent from a secondary Federal Express site unto the main headquarters site after having first turned my motion and its service upon the other party over to the first Federal Express site.

21. The Federal Express headquarters at 333 East Main Street/ Lexington, Kentucky had no difficulty in making a label.
22. Therefore, the problem appeared to be in the application that didn't work.
23. Although it was not mentioned in this instance, I had before mailed legal documents when there was a deadline and did so at 333 East Main Street/ Lexington, Kentucky when that site was open until midnight.
24. I wanted the package to state on the outside that I committed it on that date.
25. I had called ahead and been assured by the person answering that the date I deposited a package with Federal Express would be shown on the outside.
26. However, the Federal Express manager said what I had been told was incorrect.
27. Federal Express shows the date the package leaves out, and there were no more runs that day.
28. After a long harangue, the manager agreed to put a copy of the receipt covered by clear tape on the outside of the package, but the postmark would still show the day the package went out, not the day the package was committed into Federal Express's hands.
29. Therefore, it is confusing to call both a U.S.P.S. postmark, and a Federal Express postmark by the same name, since they had very different meanings.

30. A U.S.P.S. postmark means on that date mail was received, while a Federal Express postmark means that on that date the package left the premises, which could be on the same date, or later.
31. I received a letter from the Clerk of the Supreme Court of the United States noting that my motion thereto failed to append the order being appealed, in this case being the order of the highest court of the state, as required by Rule 13.5 of the Rules of the Supreme Court of the United States.
32. I have appended said order and mailed to the Clerk of the Supreme Court of the United States.
33. After I received the letter, copy appended, stating that I had failed to append the court order being appealed with my motion, I received back from Federal Express the copy of my motion that was to be served on Josh Smith at the physical location of his office as County Attorney.
34. It seems the Federal Express had difficulty in finding where to deliver the package.
35. To my surprise, there was already a printed sign, as if produced by the state, in permanently placed in the sidewalk in front of the County Attorney's office instructing FedEx and other carriers to deliver packages to the rear entrance of the building, which is the Owen County Courthouse, not to be confused with the Judicial Center where court is now held.