

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

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**In The  
Supreme Court of the United States**

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JAY CHRISTENSEN, ET AL.,

*Applicants,*

v.

SHAWN SHELTRA,

*Respondent.*

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*To the Honorable Elena Kagan,  
Associate Justice of the United States Supreme Court and  
Circuit Justice for the Ninth Circuit*

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**APPLICATION FOR AN EXTENSION OF TIME  
TO FILE A PETITION FOR A WRIT OF CERTIORARI**

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To the Honorable Elena Kagan, Associate Justice of the United States Supreme Court and Circuit Justice to the Ninth Circuit:

Pursuant to Rule 13.5, Rule 22, and Rule 30 of the Rules of this Court and 28 U.S.C. § 2101(c), Applicants Jay Christensen, David Dietz, and Benjamin Frahs respectfully request a 30-day extension of their deadline to file a petition for a writ of certiorari, from March 31 to April 30. Pursuant to Rule 13.5, this request is filed at least 10 days before the current due date, and the Court's jurisdiction is invoked under 28 U.S.C. § 1254(1).

The Ninth Circuit's decision is attached to this application and reported at *Sheltra v. Christensen*, 124 F.4th 1195 (9th Cir. 2024). It applies, and expands, a continuing violation exception to administrative exhaustion requirements under the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a). Its broad statement of the exception splits from the narrower exception applied by other circuits, and to apply such an exception at all violates the PLRA and this Court's decision in *Ross v. Blake*, 578 U.S. 632 (2016).

A 30-day extension is necessary due to the heavy caseload of undersigned counsel overlapping with preparation of a petition for writ of certiorari. Counsel of record is preparing for oral argument in the Ninth Circuit Court of Appeals in March and in the Idaho Supreme Court in April. Counsel is also assisting with briefing due in the Ninth Circuit and Idaho Supreme Court due throughout the month of April and with the requested Response to Petition for Writ of Certiorari in this Court due on April 9, 2025, in *Wilson v. Idaho*, No. 24-853.

Accordingly, Applicants request the Court enter an order extending the time to file a petition for a writ of certiorari to April 30, 2025.

Respectfully submitted,

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March 21, 2025