

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Thomas Sudz v. Adam Douglas

Sudz · No. 4:25-cv-10195 · Decided February 5, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan grants the petitioner’s motion to extend the deadline for filing a notice of appeal under Federal Rule of Appellate Procedure 4(a)(5). The court finds good cause and extends the deadline to March 9, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	F. Kay Behm
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	February 5, 2026
DOCKET	4:25-cv-10195
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved under Federal Rule of Appellate Procedure 4(a)(5) for an extension of time to file a notice of appeal from the denial of his habeas application.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Thomas Sudz v. Adam Douglas

TOPICS

- appellate procedure
- federal habeas corpus
- post-conviction relief

PRACTICE AREAS

- appellate procedure
- federal habeas corpus
- post-conviction relief

QUESTIONS PRESENTED

1. Whether Petitioner demonstrated good cause or excusable neglect warranting an extension of the time to file a notice of appeal under Federal Rule of Appellate Procedure 4(a)(5).

HOLDINGS

1. The court held that Petitioner demonstrated good cause for extending the time to file a notice of appeal and granted an extension through March 9, 2026.

KEY QUOTATIONS

“A party asserting excusable neglect or good cause may seek to extend the time limit if they file a motion for extension of time within 30 days of the time for filing a notice of appeal.” (Order text)

FACTUAL BACKGROUND

The district court had denied Petitioner's habeas application on January 7, 2026. Petitioner sought additional time to appeal because he was attempting to obtain funds to retain his current counsel for appellate representation. The motion was filed within the applicable time period.

PROCEDURAL HISTORY

The district court denied Petitioner's habeas application on January 7, 2026. Petitioner timely moved on February 2, 2026, to extend the time for filing a notice of appeal, asserting that he was attempting to obtain funds to retain current counsel for the appeal. The court found good cause and extended the deadline to March 9, 2026.

DISPOSITION

other

CASES CITED

- Zack v. United States, 133 F.3d 451, 453 (6th Cir. 1998)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION THOMAS SUDZ, Petitioner, Case No. 4:25-cv-10195 v. Hon. F. Kay Behm ADAM DOUGLAS, Respondent. _____/ ORDER EXTENDING TIME TO FILE NOTICE OF APPEAL PURSUANT TO FEDERAL RULES OF APPELLATE PROCEDURE 4(a)(5) [ECF No. 10] On January 7, 2026, the Court denied Petitioner's habeas application.

On February 2, 2026, Petitioner timely moved to extend time to file a notice of appeal. Petitioner states that he is attempting to obtain funds to enable him to retain his current counsel to represent him on appeal. (ECF No. 10).

Under Federal Rule of Appellate Procedure 4(a)(1), a notice of appeal must be filed within 30 days of the entry of the judgment. A party asserting excusable neglect or good cause may seek to extend the time limit if they file a motion for extension of time within 30 days of the time for filing a notice of appeal. See Rule 4(a)(5); *Zack v. United States*, 133 F.3d 451, 453 (6th Cir.

1998). For the reasons stated in the motion, the Court finds that Petitioner has demonstrated good cause for extending the time limit. Petitioner shall have until March 9, 2026 to timely file his notice of appeal. See FRAP 4(a)(5)(C). SO ORDERED. Dated: February 5, 2026 s/F. Kay Behm F. Kay Behm United States District Court