

# THORBURN | WALKER LLC

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December 13, 2018

Honorable Sonia Sotomayor  
1 First St NE  
Washington, DC 20543

Re: Alpenglow Botanicals, LLC, et. al v. United States of America

Dear Honorable Sonia Sotomayor:

This application is to request an extension of time to file a Petition for Writ of Certiorari in the above referenced case, in accordance with Supreme Court Rule 30(2).

The Petitioners timely appealed the district court decision *Alpenglow v. USA*, Civil Action No. 16-cv-00258-RM-CBS, which resulted in the Opinion of the Tenth Circuit Court of Appeals on July 3, 2018 in case number 17-1223. The Petitioners timely filed a FRAP Rule 35 Request for En Banc Consideration and FRAP Rule 40 Request for Rehearing, which was denied on September 25, 2018. Based upon the date of entry of the September 25<sup>th</sup> Order, the Petition for Writ of Certiorari ("Petition") is due on December 24, 2018.

The due date falls on Christmas Eve. In order for the undersigned to timely file the Petition, he would be required to have the final draft of the Petition to Brescia's Printing Service's Inc. by December 17, 2018. The undersigned has been diligently working on the Petition. However, the case is complex and involves

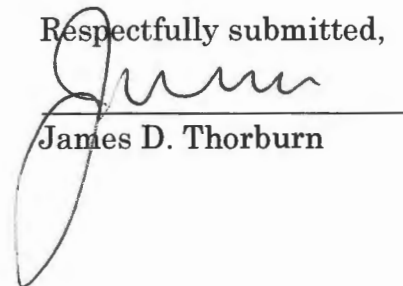
matters under a high level of public and political scrutiny. As such, the undersigned will be unable to meaningfully complete the Petition for filing by the due date. In addition, the undersigned will have a difficult time filing the Petition in January, 2019, as he has several matters to attend to in January, including but not limited to a trial in the US Tax Court for *Superior Organics v. Commissioner of Internal Revenue*, Docket No. 023020-17, and oral argument in the Tenth Circuit Court of Appeals for *Feinberg v. USA*, Case No. 18-9005.

To this end, the Petitioners request an extension of time of 60 days, up to and including Friday, February 22, 2019 to file their Petition. An extension of time to file the Petition would allow the undersigned to diligently complete the petition in a manner that is in the best interests of the Petitioners. There would be no prejudice to any party to grant this brief extension of time.

The undersigned certifies that he has conferred with opposing counsel who does not object to the relief sought in this application.

Dated: December 13, 2018

Respectfully submitted,



James D. Thorburn

cc: See attached service list

**CERTIFICATE OF SERVICE**

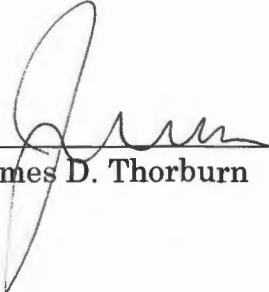
The undersigned does hereby certify that four (4) copies of the foregoing application have been sent via first class mail, postage prepaid, on this 13th day of December, 2018 to each of the following:

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