

IN THE SUPREME COURT OF THE UNITED STATES

**SALVADOR ORTIZ-URESTI,** :  
Petitioner

VS. : No. \_\_\_\_\_

**UNITED STATES OF AMERICA** :  
Petitioner

**APPLICATION FOR EXTENSION OF TIME**  
**FOR FILING PETITION FOR WRIT OF CERTIORARI**

Keith M. Donoghue, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests the granting of the instant application for a 30-day extension of time for filing of a petition for writ of certiorari, and in support represents as follows:

1. Petitioner Salvador Ortiz-Uresti was charged by indictment at Criminal Case 16-418 in the Eastern District of Pennsylvania with one count of reentry after deportation, in violation of 8 U.S.C. § 1326(a) and (b)(2). He pleaded guilty and was sentenced. On March 29, 2017, Mr. Ortiz filed a timely notice of appeal. Following briefing, the Third Circuit affirmed the judgment of the district court entered January 31, 2018. (Appendix “A”).

2. On March 12, 2018, Mr. Ortiz filed with the Third Circuit a petition for panel rehearing and/or rehearing en banc pursuant to Fed. R. App. P. 35(b) and 40(a). The petition was denied on March 26, 2019. (Appendix “B”). Pursuant to Rule 13.1, Mr. Ortiz’s petition for writ of certiorari is presently due on June 24, 2018.

3. Counsel has been unable to complete the petition given that he has been occupied preparing the opening brief and joint appendix filed in *United States v. Joel Scott*, Third Cir. No.

18-1157, on June 7, 2018, as well as the opening brief and joint appendix in *United States v. Donte Island*, Third Cir. No. 17-3826, filed on June 1, 2018. In addition, counsel is reviewing and/or preparing briefing in additional matters before the Third Circuit.

4. Counsel respectfully requests an additional 30 days in which to complete the petition for writ of certiorari.

**WHEREFORE**, for all the foregoing reasons of good cause, Keith M. Donoghue, Assistant Federal Defender, on behalf of the Federal Community Defender Office for the Eastern District of Pennsylvania, and on behalf of Salvador Ortiz-Uresti, Petitioner, respectfully requests that this Court grant this motion for a 30-day extension of time for filing of a petition for writ of certiorari.

Respectfully submitted,

/s/ Keith M. Donoghue  
KEITH M. DONOGHUE  
Assistant Federal Defender

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for the Eastern District of Pennsylvania  
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## **CERTIFICATE OF SERVICE**

I, Keith M. Donoghue, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have electronically filed this *Application for Extension of Time for Filing Petition for Writ of Certiorari* through the Electronic Filing System (EFS) of the Supreme Court of the United States and served copies upon Assistant United States Attorney Jonathan B. Ortiz, by hand delivery to his office located at 615 Chestnut Street, Suite 1250, Philadelphia, PA 19106, and upon Noel Francisco, Solicitor General of the United States, by first class U.S. mail addressed to United States Department of Justice, Room 5614, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001.

/s/ Keith M. Donoghue  
KEITH M. DONOGHUE

Dated: June 8, 2018