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IN THE
SUPREME COURT OF THE UNITED STATES

JAMES D. RUSSIAN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Tenth Circuit

**APPLICATION FOR EXTENSION OF TIME TO FILE PETITION
FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE TENTH CIRCUIT**

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To the Honorable Sonia Sotomayor, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Tenth Circuit:

Petitioner James D. Russian prays for a 60-day extension of time, to and including Monday, October 29, 2018, in which to file his petition for a writ of certiorari. In support of this request, counsel states as follows:

1. On May 31, 2018, the United States Court of Appeals for the Tenth Circuit affirmed the judgment of the district court in this case. A copy of that opinion is an attachment to this application.

2. Mr. Russian has ninety days from May 31 to petition for a writ of certiorari. Sup. Ct. R. 13.3. Ninety days from May 31 is August 29, 2018. This application is being filed at least ten days before August 29.

3. The jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

4. Since the Tenth Circuit's opinion issued, I have filed the opening briefs in United States v. Bowline, No. 17-7080 (10th Cir.), and United States v. Duzyurt, No. 18-1039 (10th Cir.), and the reply brief in United States v. Nanez-Rivera, No. 17-1419 (10th Cir.), and I have been working on the opening brief in United States v. Rosales-Trujillo, No. 18-8023 (10th Cir.), which is currently due on August 15. I am also

responsible for filing the reply brief in United States v. Bowline, No. 17-7080 (10th Cir.), by August 22. I therefore believe an extension of time will be needed adequately to prepare Mr. Russian's petition for writ of certiorari.

5. The requested extension is for sixty days. Because sixty days from August 29 is Sunday, October 28, the requested extension is until the next business day of Monday, October 29. Sup. Ct. R. 30.1. From early September until that time, I am also responsible for filing the opening briefs in United States v. Means-Goodman, No. 18-8037 (10th Cir.), and United States v. Ellsworth, No. 18-2081 (10th Cir.), and the petition for writ of certiorari in United States v. McCranie, No. 17-1058 (10th Cir.). I will, in addition, be arguing United States v. Ejiofor, No. 17-6211 (10th Cir.), before the Tenth Circuit.

WHEREFORE James D. Russian respectfully requests that an order be entered extending his time in which to petition for certiorari by sixty days, to and including Monday, October 29, 2018.

Respectfully submitted,

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