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In The  
SUPREME COURT OF THE UNITED STATES  
October Term 2017

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CURTIS D. HALL, MARTINEL LAMAR HILL, DERRICK RYAN JACKSON,  
DANYEL T. PROCTOR, AND MIGUEL ANGEL ROSARIO,

*Petitioners,*

v.

UNITED STATES OF AMERICA,

*Respondent.*

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Application for an Extension of Time To File  
a Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Third Circuit

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APPLICATION TO THE HONORABLE  
SAMUEL A. ALITO, JR., AS CIRCUIT JUSTICE

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September 10, 2018

## **PARTIES TO THE PROCEEDINGS**

The petitioners herein, who were the defendant-appellants below, are Curtis D. Hall, Martinel Lamar Hill, Derrick Ryan Jackson, Danyel T. Proctor, and Miguel Angel Rosario.

The respondent herein, which was the appellee below, is the United States of America.

## **APPLICATION FOR EXTENSION OF TIME**

Pursuant to Rule 13.5 of the Rules of this Court, the applicant-petitioners herein request a 30-day extension of time within which to file a petition for a writ of certiorari, to and including October 25, 2018.

### **JUDGMENTS FOR WHICH REVIEW IS SOUGHT**

The judgments for which review is sought are the decisions of the U.S. Court of Appeals for the Third Circuit in the related cases captioned *United States v. Hall* (No. 18-1733), *United States v. Hill* (No. 18-1731), *United States v. Jackson* (No. 18-1729), *United States v. Proctor* (No. 18-1732), and *United States v. Rosario* (No. 18-1730). Copies of the decisions are attached as exhibits to this application.

### **JURISDICTION**

The Third Circuit entered judgment in these cases on June 27, 2018. Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, the current deadline for the filing of a petition for a writ of certiorari in this case is September 25, 2018. This Court will have jurisdiction over any timely filed petition pursuant to 28 U.S.C. § 1254(1).

### **REASONS JUSTIFYING AN EXTENSION OF TIME**

The requested extension is warranted in light of the number and the circumstances of the individuals seeking review of the judgments below. All of the petitioners are represented by the Federal Public Defender's Office of the Middle District of Pennsylvania pursuant to judicial appointment, and their cases – seeking postconviction relief under 28 U.S.C. § 2255 – were consolidated for purpose of decision in the district court. The petitioners are, however, presently incarcerated

and housed in different prison facilities, including facilities outside the Middle District of Pennsylvania. This situation has rendered communication between counsel and each client more time-consuming than normal, and delayed preparation and completion of a petition for a writ of certiorari.

In addition, undersigned counsel have a variety of other obligations before the federal judiciary. For example, among numerous briefing and filing obligations in the upcoming weeks, counsel of record is responsible for presenting oral argument on behalf of the appellant in *United States v. Hall*, No. 18-1433 (3d Cir. Cir.), which is calendared for merits hearing during the week of September 24, 2018 – the same week that a petition for a writ of certiorari is presently due in this case. These obligations will make it difficult for counsel to finalize and file a satisfactory petition by the current deadline, despite counsel's diligent efforts to do so.

To provide undersigned counsel with adequate time to review the record in these cases, thoroughly analyze applicable law, and prepare a petition for a writ of certiorari that will assist this Court in resolving this matter, a 30-day extension of the period for filing a petition is appropriate.

## CONCLUSION

For the foregoing reasons, the applicant-petitioners respectfully request that this Court grant a 30-day extension, to and including October 25, 2018, in which to file a petition for a writ of certiorari.

Dated: September 10, 2018

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I, Quin M. Sorenson, do hereby certify that, on this 10th day of September, 2018, I caused copies of this Application for Extension of Time to be served on the following parties by first-class mail, postage pre-paid:

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