

IN THE SUPREME COURT OF THE UNITED STATES

HENRY P. ALFANO, WILLIAM HIRD, MICHAEL LOWRY,
ROBERT MULGREW and THOMASINE TYNES, Petitioners,

v.

UNITED STATES, Respondent.

**APPLICATION FOR SECOND EXTENSION OF TIME TO FILE
PETITION OR PETITIONS FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

TO THE HONORABLE SAMUEL A. ALITO, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE THIRD CIRCUIT:

Pursuant to this Court's Rules 13.5 and 30.2, applicant-petitioners Henry P. Alfano, William Hird, Michael Lowry, Robert Mulgrew, and Thomasine Tynes jointly pray for a second, 30-day extension of time to file their petition or petitions for a writ of certiorari in this Court to and including June 17, 2019, which will be the ninetieth day following the final decision of the Third Circuit.

1. The applicants' timely joint application for a first extension of time to file a petition or petitions for certiorari, seeking a 45-day extension to June 2, 2019, was granted by the Circuit Justice on April 11, 2019, to the extent of a 30-day extension. That extension will expire Monday, May 20, 2019.
2. The applicants' here incorporate by reference the recitation of the history of this case and the substantial issues that it presents.

3. Despite diligent efforts, for the reasons set forth in their initial application and for certain additional reasons stated herein, counsel will not be able to file a petition for certiorari that meets their own or this Court's standards by the current deadline. One of them (the attorney for applicant Alfano) has been on trial in federal court out of town until just a few days ago and unable to attend to appellate matters during those four weeks. Another (attorney for applicant Tynes) has just lost her sole associate and has opening briefs due in the Third Circuit in four separate appeals in the coming five weeks. The third (undersigned counsel of record, and attorney for applicant Mulgrew) has filed three opening briefs in the Third Circuit in the last five weeks and has a *pro bono* appeal to argue before the Supreme Court of Pennsylvania on May 14, with two more opening briefs due in the three weeks after that. Counsel's calendars appear to offer breathing space in early June to allow the completion of the petition or petitions in these cases.

4. As all the applicants have completed their respective sentences, they do not seek delay for any improper purpose, but only to ensure the filing of a proper petition (or petitions) advancing the substantial issues in their cases.

WHEREFORE, the Applicant-Petitioners pray that the Circuit Justice enter an Order extending the time within which they may petition this Court for certiorari by a further 30 days, to and including June 17, 2019.

Dated: May 9, 2019

Respectfully submitted,

By: PETER GOLDBERGER
Counsel of Record

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