

No. _____

IN THE
Supreme Court of the United States

KEITH WAYNE CARVER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

**APPLICATION FOR EXTENSION OF TIME WITHIN
WHICH TO FILE A PETITION FOR WRIT OF CERTIORARI
FROM JUDGMENT OF THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

TO THE HONORABLE JOHN G. ROBERTS, JR., CHIEF JUSTICE OF
THE UNITED STATES SUPREME COURT and
CIRCUIT JUSTICE FOR THE FOURTH CIRCUIT

Pursuant to Supreme Court Rules 13.5, 22, and 30.3, Keith Wayne Carver, Petitioner above-named, respectfully requests a thirty-one (31) day extension of time, up to and including June 28, 2019, within which to file a petition for writ of certiorari from the judgment of the United States Court of Appeals for the Fourth Circuit. Mr. Carver has not previously sought an extension of time from this Court.

Petitioner is filing this Application at least ten days before the filing deadline, which is May 28, 2019. *See* S. Ct. R. 13.5. The jurisdiction of this Court will be invoked pursuant to 28 U.S.C. § 1254(1).

Mr. Carver was convicted in the District of South Carolina of possession of at least fifteen access devices with intent to defraud and aid and abet, in violation of 18 U.S.C. §§ 1029(a)(3) and 2; possession of device making equipment with intent to defraud and aid and abet, in violation of 18 U.S.C. §§ 1029(a)(4) and 2; and aggravated identity theft, in violation of 18 U.S.C. § 1028A. Mr. Carver appealed, and the Fourth Circuit Court of Appeals affirmed Mr. Carver's conviction and sentence on February 25, 2019.

A copy of the Court of Appeals' Opinion is attached as Appendix A hereto.

Undersigned counsel will not have sufficient time in which to file the petition for writ of certiorari for Mr. Carver by May 27, 2019, for several reasons. First, counsel participated in oral argument before the Fourth Circuit Court of Appeals in *United States v. Thomas Norman*, Fourth Circuit No. 18-4214, on May 7, 2019. Second, counsel has an Opening Brief and Joint Appendix due in *United States v. Joyner*, Fourth Circuit No. 19-6506 (currently due May 22, 2019), and two responses in habeas cases before the district courts: *Barnes v. Bragg*, D.S.C. Civil Action No. 18-1414 (response to motion to dismiss currently due May 20, 2019), and *Young v. Antonelli*, D.S.C. Civil Action No. 0:18-1010 (response to Report and Recommendation and impact of First Step Act on the petition, currently due May 24, 2019). Additionally, counsel has Opening Briefs and Joint Appendices due in *United States v. Blackmon*, Fourth Circuit No. 19-6486 (due June 7, 2019), *United States v. Armstead*, Fourth Circuit No. 19-6534 (due June 10, 2019), *United States v. Mack*, Fourth Circuit No. 19-4250 (due

June 13, 2019), and *United States v. Brown*, Fourth Circuit No. 19-6544 (due June 13, 2019).

Accordingly, additional time is necessary for the careful preparation of Mr. Carver's petition for writ of certiorari. Moreover, no party will be prejudiced by the granting of a thirty-one (31) day extension.

As the time within which to file a petition for writ of certiorari in this case will expire May 28, 2019, unless extended, Petitioner respectfully requests an extension of time in which to file a petition for writ of certiorari up to and including June 28, 2019.

Respectfully submitted,


s/Emily Deck Harrill

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