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IN THE
SUPREME COURT OF THE UNITED STATES

ALEX QUINTANA-TORRES,

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**

VIRGINIA L. GRADY
Federal Public Defender

JOHN C. ARCECI
Assistant Federal Public Defender
Counsel of Record for Petitioner
633 17th Street, Suite 1000
Denver, Colorado 80202
(303) 294-7002

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

Petitioner Alex Quintana-Torres, by undersigned counsel, prays for a 60-day extension of time, to and including February 11, 2019, in which to file a petition for a writ of certiorari. In support of this request, counsel states as follows:

1. On September 14, 2018, the United States Court of Appeals for the Tenth Circuit affirmed the judgment of the district court in this case. Attachment A.

2. Mr. Quintana-Torres has ninety days from September 14, 2018, to file a petition for a writ of certiorari. Sup. Ct. R. 13.3. The petition is therefore due on December 13, 2018. This application is being filed at least ten days before that date.

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

4. Undersigned counsel believes an extension of time will be needed to prepare Mr. Quintana-Torres's petition for writ of certiorari. In addition to the petition for certiorari in this case, counsel is also currently responsible for preparing petitions for certiorari in *United States v. Pulham*, 16-8019 (due December 14, 2018) and *United States v. Miller*, 16-1231 (due January 3, 2018), as well as, in the Tenth Circuit, preparing the opening brief in *United States v. Elliott*, 17-6433 (due January 7, 2018), an appeal from an effective life sentence of 170 years.

5. Moreover, since the circuit court issued its opinion in this case, counsel has been occupied with matters in other cases before the circuit, including delivering

oral arguments in *United States v. Winder*, 17-8075 (September 27, 2018) and *United States v. Smith*, 18-1020 (November 14, 2018), assisting colleagues in preparing for oral arguments in other cases during the circuit's September and November sessions, and filing a reply brief in *United States v. Garcia*, 18-5012 (November 6, 2018). Counsel also has filed petitions for certiorari in *Frias v. United States*, 18-6139 (September 26, 2018) and *Silva v. United States*, 18-6265 (October 4, 2018), and continues to spend significant time working on issues related to the conditions of confinement for a number of clients. Finally, counsel was out of the office on scheduled leave from Monday, November 19th through Friday, November 23rd, and will again be out of the office for out-of-state legal visits with clients on December 5th and 6th and December 17th and 18th.

6. The requested extension of time is for 60 days, to and including Monday, February 11, 2019. *See* Sup. Ct. R. 13.5 (authorizing extension of up to 60 days for the filing of a petition for writ of certiorari).

7. During the requested extension period, undersigned counsel will have responsibility in the Tenth Circuit for completing the opening brief in *United States v. Elliott*, 18-2105 (due January 7, 2019), working on the reply brief and delivering oral argument in *United States v. Rodriguez-Arroyo*, 18-6028 (reply brief anticipated due on January 16, 2019; oral argument scheduled for January 24, 2019), assisting colleagues preparing for oral argument in at least two other cases during that January session,

and reviewing the large appellate record in *United States v. Muhtorov*, 18-1366 (record pending), an appeal from a 20-day jury trial which has nearly 2,000 docket entries spanning over six years. Additionally, in this Court, counsel anticipates completing a reply to the government's response in *Silva v. United States*, 18-6265 (response requested, and currently due January 2, 2019).

WHEREFORE Petitioner Alex Quintana-Torres respectfully requests that an order be entered extending the time in which to petition for certiorari by 60 days, to and including February 11, 2019.

Respectfully submitted,

VIRGINIA L. GRADY
Federal Public Defender

/s/ John C. Arceci
JOHN C. ARCECI
Assistant Federal Public Defender
Counsel of Record for Petitioner
633 Seventeenth St., Suite 1000
Denver, Colorado 80202
(303) 294-7002