

No. \_\_\_\_\_

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IN THE SUPREME COURT OF THE UNITED STATES

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EDGAR MARTIN,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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UNOPPOSED APPLICATION FOR EXTENSION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI

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To the Honorable Justice Neil M. Gorsuch, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Eighth Circuit:

1. Petitioner Edgar Martin, an inmate in the Federal Bureau of Prisons, respectfully requests a 60-day extension of time in which to file a petition for writ of certiorari in this Court up to and including Monday, February 11, 2019. The decision below, in which a panel of the United States Court of

Appeals for the Eighth Circuit affirmed the district court's denial of habeas relief, is attached hereto as Addendum A and B. Absent an extension from this Court, Mr. Martin's cert petition will be due Thursday, December 13, 2018.

2. Undersigned counsel represented Mr. Martin in the district court as well as in the Eighth Circuit Court of appeals, all the while contending that the sentence he is currently serving under 18 U.S.C. § 924(e) is unconstitutional in light of this Court's decision in *Johnson v. United States*, 135 S.Ct. 2551 (2015). Mr. Martin would like this Court to review his claim via a writ of certiorari.

3. Unfortunately, undersigned counsel will be relocating out of state and will no longer represent Mr. Martin on his claims. Although another lawyer affiliated with the Federal Public Defender Office may elect to file a cert petition on Martin's behalf, more time is needed for that lawyer to review the pleadings and otherwise familiarize him/herself with the case. Of course, it may be that Martin will research and draft a cert petition pro se. At this point, it is too early to determine. Hence the need for an extension.

4. Assistant United States Attorney Stephanie Mazzanti reports that the United States has no objection to the requested extension of time.

WHEREFORE, Mr. Martin respectfully requests that this Application be granted, and that the Court allow him until February 11, 2019 to file his certiorari petition in this important matter.

Respectfully submitted,

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