

NO. \_\_\_\_\_

---

IN THE  
SUPREME COURT OF THE UNITED STATES

---

MIGUEL ANGEL RODRIGUEZ-FLORES,

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

HOWARD A. PINCUS  
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 Miguel Angel Rodriguez-Flores prays for a 60-day extension of time, to and including April 2, 2019, in which to file his petition for writ of certiorari. In support of this request, counsel states as follows:

1. On November 5, 2018, the United States Court of Appeals for the Tenth Circuit affirmed the judgment of the district court in this case. A copy of that opinion is an attachment o this application.

2. Mr. Rodriguez-Flores has ninety days from November 5 to petition for a writ of certiorari. Sup. Ct. R. 13.3. Ninety days from November 5, 2018 is Sunday, February 3, 2019, making the petition due on February 4. Sup. Ct. R. 30.1. This application is being filed at least ten days before February 4, 2019.

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

4. Since November 5, I have filed the brief in opposition in United States v. Salas, No. 18-428 (U.S.), the opening briefs in United States v. Means-Goodman, No. 18-8037 (10th Cir.), and United States v. Russian,

No. 18-3173 (10th Cir.), the reply briefs in United States v. Duzyurt, No. 18-1039 (10th Cir.) and United States v. Rosales-Trujillo, No. 18-8023 (10th Cir.), and the petition for rehearing in United States v. Ejiofor, No. 17-6211 (10th Cir.). I have also argued United States v. Nanez-Rivera, No. 17-1419 (10th Cir.) and United States v. Bowline, No. 17-7080 (10th Cir.), before the Tenth Circuit, and I will be arguing United States v. Duzyurt, No. 18-1039 (10th Cir.), before that court next week. I am now working on the opening briefs in United States v. O'Neal, No. 18-1365 (10th Cir.) and the reply brief in United States v. Mendez, No. 18-1259 (10th Cir.). I therefore believe an extension of time will be needed adequately to prepare Mr. Rodriguez-Flores's petition for writ of certiorari.

5. The requested extension is for fifty-seven days, to and including April 2, 2019. During the requested extension period, I expect to be responsible for filing the reply to the brief in opposition in McCranie v. United States, No. 18-6257 (U.S.), the petitions for writ of certiorari in United States v. Ejiofor, No. 17-6211 (10th Cir.) and United States v. Roman, No. 17-4084 (10th Cir.), the opening briefs in O'Neal and United States v. Milhouse, No. 18-3245 (10th Cir.), and the reply brief in Means-

Goodman. I will also be arguing Rosales-Trujillo and Mendez before the Tenth Circuit.

WHEREFORE Miguel Angel Rodriguez-Flores respectfully requests that an order be entered extending his time in which to petition for certiorari by fifty-seven days, to and including April 2, 2019.

Respectfully submitted,

VIRGINIA L. GRADY  
Federal Public Defender

/s/ Howard A. Pincus  
HOWARD A. PINCUS  
Assistant Federal Public Defender  
*Counsel of Record for Petitioner*  
633 Seventeenth St., Suite 1000  
Denver, Colorado 80202  
(303) 294-7002