

No.

In the Supreme Court of the United States

MAHMOUD ALDISSI AND ANASTASSIA BOGOMOLOVA,

Petitioners,

v.

UNITED STATES OF AMERICA,

Respondent.

**On Application for Extension of Time to File
Petition for a Writ of Certiorari to the United
States Court of Appeals for the Eleventh Circuit**

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR A WRIT OF CERTIORARI**

THOMAS A. BURNS

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Counsel for Petitioners

**APPLICATION FOR EXTENSION OF TIME TO
FILE PETITION FOR A WRIT OF CERTIORARI**

Petitioners, Mahmoud Aldissi and Anastassia Bogomolova, through undersigned counsel and pursuant to Supreme Court Rules 13.5 and 30, respectfully apply to Associate Justice Thomas as Circuit Justice for the United States Court of Appeals for the Eleventh Circuit and request a 60-day extension of time from July 1, 2019 until August 30, 2019 to file their petition for a writ of certiorari.

1. On December 13, 2018, the Eleventh Circuit affirmed the Petitioners' convictions and sentences in *United States v. Aldissi*, Nos. 15-14193 & 15-14194 (11th Cir.). A copy of the Eleventh Circuit's opinion is attached hereto as Exhibit A. *See* Sup. Ct. R. 13.5.

2. Petitioners timely petitioned for rehearing en banc in the Eleventh Circuit, which was denied on April 1, 2019. A copy of the Eleventh Circuit's order denying rehearing en banc is attached hereto as Exhibit B. *See* Sup. Ct. R. 13.5.

3. Accordingly, Petitioner's petition for a writ of certiorari is currently due filed in this Court 90 days after April 1, 2019 on July 1, 2019.¹ *See* Sup. Ct. R. 30.1.

4. Counsel is a solo practitioner with a heavy caseload and requires additional time to prepare the petition for a writ of certiorari. Additionally, this case involves an extensive record and complicated legal issues.² Lastly, because the

¹ The 90th day after the Eleventh Circuit entered its order denying rehearing en banc falls on a Sunday (June 30, 2019), so the actual due date for filing the petition for a writ of certiorari is July 1, 2019. *See* Sup. Ct. R. 30.1.

² The record in this appeal is extensive. It arose from an 18-day jury trial, after which the Petitioners were convicted of defrauding several federal agencies of \$10.6

Petitioners are now indigent and can no longer afford legal services, counsel is awaiting a ruling from the Eleventh Circuit on his motion to recall the mandate and appoint him as appellate counsel pursuant to the Criminal Justice Act for further appellate review in this Court.

WHEREFORE, the Court should grant Petitioner a 60-day extension of time from July 1, 2019 until August 30, 2019 to file his petition for a writ of certiorari.

June 10, 2019

Respectfully submitted,

/s/ Thomas Burns

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million, identity theft, and falsification of records. There are almost 400 docket entries (spanning approximately 4,500 pages), plus almost 5,400 pages of transcripts, plus hundreds of documentary exhibits.

Additionally, the certiorari petition will address two mature circuit splits that are square (not attenuated), balanced (not lopsided), deep (not shallow), and fresh (not stale). The first split involves the “right to control” theory of wire fraud (a 7-3 split), and the second split involves loss calculation and restitution when an unintended recipient receives government funding but delivers work (a 3-3 split). *See* Pet. Reh’g En Banc at 5-19 (discussing circuit splits).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, June 10, 2019, as required by Supreme Court Rule 29, I have served the enclosed Application For Extension Of Time To File Petition For A Writ Of Certiorari on each party to the above proceeding or that party's counsel, and on every other person required to be served, via email and by depositing an envelope containing the above document in the U.S. mail properly addressed to each of them and with first-class postage prepaid. The names and addresses of those served are as follows:

Solicitor General of the United States
Department of Justice, Room 5614
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Washington, D.C. 20530-0001
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June 10, 2019

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