

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2018

ANDREW LEE THOMPSON, II

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

APPLICATION FOR EXTENSION OF TIME IN WHICH TO FILE
A PETITION FOR A WRIT OF CERTIORARI

To the Honorable John G. Roberts, Jr., Chief Justice of the United States Supreme Court
and Circuit Justice for the Fourth Circuit:

Under 28 U.S.C. § 2101(c) and Rules 13.5, 22 and 30 of this Court, petitioner Andrew Lee Thompson, II, respectfully requests a 60-day extension of time, up to and including April 5, 2019, in which to file a petition for a writ of certiorari in this Court. The Fourth Circuit entered final judgment against Mr. Thompson on November 6, 2018. The time to file a petition for a writ of certiorari in this Court expires on February 4, 2019. This application is being filed more than 10 days before that date. A copy of the Fourth Circuit's unpublished opinion in this case is appended to this application. This Court has jurisdiction under 28 U.S.C. § 1254(l).

1. Mr. Thompson was convicted of sex trafficking of a minor in violation of 18 U.S.C. §§ 1591(a)(1), (b)(2) and (c) and 18 U.S.C. § 2. Mr. Thompson was sentenced to 300 months imprisonment. The district court had jurisdiction over the prosecution pursuant to 18 U.S.C. § 3231.

The United States Court of Appeals for the Fourth Circuit affirmed Mr. Thompson's conviction and sentence November 6, 2018. *United States v. Andrew Lee Thompson, II*, No. 18-4235 (4th Cir. November 6, 2018). Mr. Thompson did not seek a rehearing. The court of appeals had jurisdiction over the appeal pursuant to 28 U.S.C. § 1291 and 18 U.S.C. § 3742.

A petition for writ of certiorari is due on February 4, 2019. This Court had jurisdiction pursuant to 28 U.S.C. § 1254.

2. Counsel has informed Mr. Thompson of his right to petition this Court for a writ of certiorari and Mr. Thompson has notified counsel that he wishes to file a petition for a writ of certiorari. After a thorough examination of the court of appeals' opinion, the applicable case law and the considerations for review in Supreme Court Rule 10, counsel believes that there are no compelling reasons for granting a petition for writ of certiorari and it would be frivolous to file. Pursuant to Fourth Circuit procedure, counsel is moving in that court to withdraw from continued representation of Mr. Thompson for the purpose of filing a petition for writ of certiorari. Counsel seeks a 60 day extension of the filing deadline from February 4, 2019 to April 5, 2019 to allow Mr. Thompson sufficient time to exercise his right to file a petition.

Wherefore, Mr. Thompson prays that this application be granted.

Respectfully submitted,

/s/

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Dated: January 18, 2019